



RAY~Link

Issue One - November 1991

Welcome to RAY-Link. This new newsletter will be published regularly, and posted to all controllers. Please make sure that all your members have the opportunity to see it! This first issue is larger than those planned for the future owing to it carrying the Secretary's notes from the National meeting held in Manchester last month.

Items for publication will be welcomed, and should be sent to Ron Cowan, GM4SRL, 516 Clarkston Road, Netherlee, Glasgow G443RT.

Comments on the Green Paper should be sent to the RSGB RAYNET Committee Secretary, Trevor Emery, G3KWU at 75 Haig Road, Bishopstoke, Eastleigh, SO5 6JF.

The Main Points of the UMIST Meeting in Manchester on 19th. October 1991.

This first national conference of RAYNET opened with Philip Howarth, G3YAC, Chairman of the RSGB RAYNET Committee welcoming all delegates and observers and acknowledging the fact that some of them had travelled considerable distances to be present. He then introduced the Guest Chairman, Mr. John Bettridge, Principal of the Emergency Planning College at Easingwold.

Mr. Bettridge pointed out that, in his professional capacity, he has quite a lot to do with the National Voluntary Organisations and he has heard and seen enough to know what a valuable contribution RAYNET makes to emergency planning and that the organisation is held in very high regard by the emergency services and the emergency planning community as a whole.

He went on to say that he saw his job as Chairman to try to ensure for the benefit of the delegates that:-

1. The arguments on all sides are fully explored.
2. Wherever possible, to give everyone, particularly those with strong views about the issues to be debated, an opportunity to put them forward.
3. To try and identify with delegates, those topics where consensus exists.
4. Where consensus does not exist, to try to help to identify with the delegates what further action might be needed and also how that action should be taken forward.

He suggested the afternoon should finish with the Committee having a clear understanding of the next steps. He then invited Philip Howarth G3YAC to give his presentation on "The Way Forward".

Mr. Howarth said that some people had misread the consultative paper as a new draft constitution for the organisation. That was not its purpose, it was purely a discussion document. A revised document, based on the views of the conference, would be discussed with the Charity Commission and other bodies before a final draft was published. An inaugural meeting of the new body would then be necessary to approve the final document and officially launch the new RAYNET. At present, RAYNET has 4853 registered members.

SECTION 4 OF GREEN PAPER

Following the roadshows a number of key issues had emerged which the Green Paper attempted to address.

1. Members wanted RAYNET to be democratic
2. Members did not want either the RSGB or User Services to control RAYNET.
3. They were prepared to fund the organisation from their own pockets provided the amount was as little as possible and shown to be good value.
4. Roles of Committee members and job specification of members and officials should be defined.
5. Reorganisation should be at national level, groups were working well and should not be affected.
6. Members wanted to remain affiliated to RSGB.
7. An improved code of conduct and disciplinary structure was required.

G3YAC said funding was the prime topic although nobody seemed to agree on how much would be required to run RAYNET. The budget figure was merely an indication. Charitable Status was intended at national level only. There are a number of arguments in favour and, of course, a few against, but he envisaged a fuller debate later in the afternoon.

CHANGE FROM GROUP/COUNTY TO CHAIRMAN

After a lengthy discussion the meeting agreed by a large majority to retain the titles Group Controller and County Controller.

LINKS WITH RSGB

The meeting then went on to discuss the proposal that RAYNET should become a self-governing unincorporated members' organisation.

Mr. TI "Smudge" Lundegard G3GJW (Chairman of the RSGB F & S Committee), in reply to a delegate's question said that, including Staff time, RAYNET had cost the RSGB £15 - £20,000 during the 1990/91 Financial year and that the budget for 1991/92 is £2,200 plus the cost of insurance. This is the second largest budget for any Committee in the Society which, he thought, showed a certain amount of generosity towards what the Society sees as "The Jewel in the Crown".

In response to another question, Mr. Lundegard replied that he had registered a Company called RAYNET LTD. when he was Chairman of RAYNET. This Company is still in existence. The Society registered a Company called RSGB RAYNET LTD. It no longer exists because the appropriate annual fees has not been paid. There is no trademark as such. The name is implicit in the name of the Company. RAYNET LTD. is held in a neutral corner for the benefit of anybody in the organisation.

Clive Trotman GW4YKL, Council Liaison Officer on the RAYNET Committee advised those present that if the meeting wanted democracy leading all the way up to the Chairman of the NRC, this could not be done as the Articles of Association (of the RSGB) do not allow us to have a elected committee. The Chairman has to be appointed by the RSGB Council. If you want democracy then RAYNET would have to become a separate organisation.

The RSGB would welcome a very close affiliation because the RAYNET organisation "is the major public image that anyone has of amateur radio and that reflects on the RSGB".

G8ZQJ commented that RAYNET's high profile in amateur radio justified special affiliated status and he asked if that was possible.

Terry Barnes GI3USS, RSGB President elect for 1992 agreed we needed something much stronger. RAYNET needs a high level of access to the DTI and other services provided by the RSGB Licensing Advisory Committee which it would not automatically get under ordinary affiliation. RAYNET needs to have something much closer and that is something we need to work on.

GI ADW suggested that RAYNET was a 37 year old child of the RSGB and was an adult in its own right. Whilst there may be emotional ties he did not think that the financial arguments held water for retention.

Asked about commercial ownership of the name RAYNET by non-amateur radio organisations G3YAC replied that it was a registered trade name of a fibre optic company

Raychem. The RAYNET Committee had corresponded with the company who had raised no objection to the use of RAYNET by the emergency radio network. Relations with the company were good and Raychem had sent RAYNET a £300 donation.

G3STG, commented that it is vital that RAYNET does not divorce itself completely from the mechanism which enabled the Society to talk to H M Government and other important bodies. At the moment the LAC of the RSGB has indicated they wish RAYNET to continue to be represented on it and continue to have a voice through that committee channel. If RAYNET decides to have no links at all it is possible that communications channel might remain open although he thought it would depend on the grace and favour of the LAC Chairman. He also reminded the meeting that virtually all the things that RAYNET now take for granted in terms of their operational conditions and their licensing concessions did not exist ten years ago and have been negotiated through LAC with H.M. Government. He ended saying:-
"Cut that link at your peril gentlemen!"

A vote to retain some connection between the RSGB and RAYNET by affiliation or similar status was unanimously supported.

G3STG then asked that if RAYNET is to remain within the Society, can we have a clear indication *from*, the Society that they would not overrule the Discipline Procedure of the National RAYNET Committee and would observe RAYNET Rules? RAYNET needs an assurance that that overruling would never happen again.

Could RAYNET also have an assurance that RSGB would not replace and remove the RAYNET Committee in the way the RAYNET Chairman was removed in April 1991?

G3STG added that it is very difficult for RAYNET members to continue the existing relationship in view of both the funding and the constitutional relationships to the management of the Network. He gave notice that he would, very reluctantly, be voting for affiliation and not the existing system.

GI3USS said that, as the President for one year, he could not give that assurance because he cannot look into the minds of future Councils. Previous actions taken were precipitate and not taken on the best advice. He did not wish to say more on that subject.

The meeting AGREED by 91 votes to 18 to separate from the RSGB, but to seek the strongest possible affiliation with the RSGB.

THE ORGANISATION

It was agreed that paragraph 5.1 of the Green Paper would be amended by substituting NRC for "It" at the start of the second sentence. To read: "NRC will apply...."

Agreed to reword paragraph 5.2.3 (Item 2) to read "...both of themselves together with their equipment"

It was agreed that paragraphs 5.2.4 be amended to read "...at the discretion of the Group Committee".

It was agreed that paragraph 5.2.5 be amended to read "Membership of.....at the discretion of the Group Committee".

There was general agreement that the Duties set out in 5.2.3 and 5.3.3 were too detailed. Concern was also expressed by G4YMU about restricting a member to only one RAYNET post. Some groups said it would be difficult to fill posts unless members were allowed to have two appointments. Questions were asked about those Counties with only one group. G3 YAC replied that steps were being taken to change these to Group status.

It was agreed that the Committee would re-examine the points raised and offer these to the membership for further consideration.

It was suggested and agreed that groups would be welcome to send copies of their Group Constitutions to the Secretary to give a general idea of such documents.

ZONAL CO-ORDINATORS

When the meeting returned from a short tea-break GM1SRP suggested amalgamating Zonal Co-ordinators and County Controllers to save expense, but delegates had serious reservations. It was suggested that some Zones, especially Scotland might benefit from being split. ZR7 asked for this to be done to Zone 7 although he appreciated that it might increase the size of the National Committee. G3YAC accepted that the zones needed reviewing, particularly Scotland. G3STG noted that the original thought was that no Zonal Representative should have responsibility for more than 500 members. Mr. Lundegard added that the original boundaries coincided with the Regional Defence boundaries to ease liaison with the various authorities.

A number of delegates pressed for the Zonal Co-ordinators to be elected by the membership with a delegate from Scotland suggesting that each group hold its own ballot for ZC and that the results be sent to the County Controller for collection and forwarding to the RAYNET Secretary for counting. Another delegate suggested that it would be easier and cheaper for Group and County Controllers to elect their Zonal Co-ordinator. He noted that only very few members bother to vote for a ZR.

NATIONAL CHAIRMAN

It was pointed out that under the proposed changes the chairman would be elected from and by the Zonal

Coordinators who will form the RAYNET Committee. It was thought that the person so selected should be capable of carrying out the duties of RAYNET Chairman in addition to his duties as Zonal Co-ordinator as he was only expected to Chair the RAYNET Committee meetings.

G3YAC was asked if he was qualified to be chairman under the terms of the Green Paper and if not could he say how long it would take to elect someone who did meet the qualification.

G3YAC responded "Yes, Don't know!"

Conference voted in favour of the national chairman being elected by the Zonal Co-ordinators.

ADMINISTRATIVE TEAMS

It was suggested that each of these teams should be chaired by a ZC, but G3STG disagreed saying that the Zonal Co-ordinators should concentrate on forming the policy of RAYNET.

G3YAC expressed the committee's concern on some of the possible disadvantages of this system, and promised to raise the matter in future discussions.

PATRONS

It was agreed that Patrons would not be chosen from "political" sources since it would probably not be allowed by the Charity Commissioners if charitable status was sought.

FUNDING

One delegate said it was obvious the conference would not end by 1800 if it were to discuss funding in any detail. He said that the basic question concerned funding by a levy on each member of a levy on groups on a pro-rata basis. G3 STG said he thought it very important for the RAYNET Committee to go away from the conference with a clear understanding that the membership accepts the decision that has been made about affiliation, accept therefore that the level of support from RSGB becomes not guaranteed, but a matter for RSGB Council to decide among themselves, that is if they wish to finance the organisation. The RAYNET membership have to accept the probability that it would have to be self-financing.

G3STG proposed that "This meeting accepts the principle that the core costs of the National RAYNET Committee should be met by the general membership. He suggested the definition of core costs should be left open for future discussion, but should cover essential matters like registration, insurance and postage.

The proposal was approved with only eight votes against it although a number of delegates abstained.

CHARITY STATUS

In reply to G6EUO, G3 YAC emphasised that Charity Status was being sought for the RAYNET Committee only and that it was a complicated subject. He called on Brett Rider, G4FLQ (Headquarters Rep on RAYNET Committee) to speak.

G4FLQ asked to clarify one thing. The proposal was for the RAYNET Committee to seek Charitable Status. If the meeting wanted to broaden it that would raise many other issues which will take a lot of time to go through.

The Advantages:-

- There are significant Tax concessions.
- There are safeguards for members.
- There are safeguards for the general public who may be donating to us.
- Charity Status gives a good public image.
- Charities are eligible for help, particularly financial, from other charities and other organisations. It was much easier to receive funds particularly if you are a Registered Charity.

Disadvantages:-

- A Charitable Organisation has to be autonomous.
- All the objectives of the organisation have to be Charitable in Law.
- Any changes to those objectives require the prior approval of the Charities Commissioners. They are very concerned as to what you are, what your objectives are, what you are trying to do, it must be charitable.

The people who run a charity are known as Trustees and they have some additional responsibilities under the Charities Acts. There are certain things that the Charities Commissioners get involved with. If you want, for example, to dispose of property you have got to obtain their consent - that may possibly change in the future with forthcoming legislation.

You have got to pay the a small charge to the Commissioners when you file your accounts and a small registration fee £5 and £25

Charities MUST NOT become involved with political activities.

Charity Commissioners do have some control and supervisory powers.

Most of those powers are really against an organisation locking up. Think of a Charity which was formed at the beginning of the century, with very few objectives, those objectives are no longer relevant and they have sold all the property or whatever. They have become locked in by their constitution but the Charity Commissioners can change it. Their powers are quite well-defined and they are exercised very sparingly.

Where the Charity Commissioners can come in, they can investigate any evidence of mismanagement or misconduct. In such cases they may appoint or dismiss Trustees or Servants, they can transfer funds to the Official Custodian who looks after monies on behalf of the Charity Commissioners.

They have powers where there is mismanagement or misconduct to restrict the use of bank accounts. Again for misconduct they can restrict the action of Trustees and the Inland Revenue can dispose information regarding the charity to the Charity Commissioners where they believe the Charity is not carrying out its charitable objectives.

Basically a Charity has such beneficial Tax treatment that the Inland Revenue are very concerned that any bona fide charities make use of that and there is no loophole in the financial legislation. Since there are some 170,000 Charities in this country any involvement by the Charity Commissioners, he thought, would be in extreme cases of mismanagement.

G3STG asked to add one comment from long experience of working with DTI and Licensing matters. There would appear to be one considerable advantage in charitable status which Brett has not mentioned and that is that as Radio Amateurs we are precluded from offering our services for sale. Quite rightly so. We have a difficulty at the moment that many Groups do accept donations in return for services offered to User Services. Quite rightly so.

But it does put us in a slightly difficult and precarious position because the lobby for the PMR Industry is then able to say that we are selling communications and competing with them. They can bring considerable pressure to bear on the DTI to discourage us from doing this. Charitable status would, in fact, protect us and allow us to say quite rightly to the DTI that the monies that are being given to groups are being put to charitable purposes and the Charity Commissioners are aware of the purposes of RAYNET and agree that they are charitable.

In reply to a question G4FLQ pointed out that Gloucestershire and Wirral RAYNET gained Registered Charity Status several years ago. They have clearly done it for very good reasons. He has had no feedback, but he believes that there are no problems and the Charity Commission is happy with it. He thought local Groups appreciate their own autonomy to do what they want, why don't local Groups seek Charity Status? Once we have cracked the nut of registering ourselves, he was sure NRC could offer assistance to local Groups to help them do it also.

Another delegate suggested that whilst he saw there may be a possibility of us incurring Capital Gains Tax at some time, he doubted if Inheritance Tax, Corporation Tax or Stamp Duty would ever bother us.

G4FLQ offered a correction. We could be caught by Corporation Tax on any investment income, Building Society Accounts - that is liable for Corporation Tax. There is a cut-off figure of about £4.

A delegate sought clarification on the Trustee situation as, according to him, the situation had changed.

G4FLQ replied that there are many different types of organisation which can be a charity. The term Trustee is a generic term across all such organisations and is a common denominator. Trustees are the people who run the organisation. He went on to say that if you have a Trust with Money (or property) then you have Trustees. If you have a limited Company as a Charity, the Directors are the Trustees. If you have a members' association as a Charity, the Managing Committee are the Trustees, i.e. the Constitution states who the people are running the show. The proposals in the Green Paper show the people running RAYNET will be the Zonal Coordinators and the NRC Chairman, they are the Trustees.

One delegate pointed out that the Mountain Rescue Team in his locality is also VAT exempt for equipment.

The Chairman noted that for someone advertised as a non-expert, Brett has given the meeting a great deal of expert advice.

The meeting supported the resolution that the National RAYNET Committee further investigate the question of Charitable Status for the RAYNET Committee. This was agreed by a large majority.

ANY OTHER BUSINESS

G3 YAC advised that GW4YKL is now the Council Liaison Officer on the RAYNET Committee.

He told a delegate that the Secretary always prepared his minutes from tape recordings of the meetings.

Some general comments on RAYNET insurance had been made during the meeting. G3YAC' advised that the Committee have already been investigating the insurance policies held at present These are considered marginal and further inquiries are being made to hopefully improve the situation.

A delegate noted that the Green Paper did not mention anything about removing the word "amateur" from the title. He thinks this takes away our "professionalism". G3YAC replied that we are specialists - we do a professional job but are not paid for it - we are radio amateurs. He personally felt rather proud of the fact. G13USS commented that in his professional work he had to deal with various emergency services and their statement has always been when RAYNET is used "If you want a professional job done, get the amateurs to do it". He suggested delegates look very carefully at the dictionary

definition of professional and amateur.

WINDING UP

G3 YAC said that we have learnt an enormous amount and there are a great number of things we still have to do. There were a large number of areas of agreement. A report of the meeting will be sent out as soon as possible.

Obviously we will be unable to cover all items in one or two newsletters, but we will try to cover at least one item per newsletter. G3YAC asked delegates to discuss outstanding items with their groups and put comments in writing to Trevor Emery G3KWU by the end of November.

Inevitably we may hit financial problems with ongoing funding, but we will do what we can. Hopefully the RSGB will continue to support us for as long as they can. He added that he had received "unofficial" assurances that they will do all they can for us.

A vote of thanks to Greater Manchester RAYNET for providing talk-in was acknowledged with acclaim as was a vote of thanks to Mr. Bettridge for taking the Chair.

G3YAC closed the meeting by inviting all present to contribute to the costs which were about £1 per minute and wished all delegates and observers a safe journey home.

The meeting terminated at 17:52 hrs. The collection yielded £167.15.

