

Date 9 September 2025





Voluntary Management Committee

Thanks for your query regarding what course of action is appropriate where Trustees of an Unincorporated Association are unwilling to swear an oath *de fidele administratione*. You don't say why such office bearers are unwilling to do so, but this would be useful to know.

I don't need to explain to you what such an oath means and why it is routine for office bearers to give such an undertaking, either verbally or in writing, but do the relevant office bearers themselves fully understand this and see why it would be considered both odd and concerning for them to be unwilling to give an undertaking to act with honesty and integrity? Which part of such an undertaking to the members and Committee do they find objectionable?

If the Trustees do understand, but still feel unwilling to give such an undertaking to the members, if I were a member I would seriously question whether they were the right people to fill the offices concerned. This is particularly the case where it is an unincorporated association since, as you know, the members as a whole remain personally responsible for the actions of such a body.

In short, whilst the requirements of the general law will still apply to office bearers who are not willing to swear to the members that they will act with honesty and integrity, I would question whether it would be wise to remain involved with an unincorporated association that is being run by such people.

Regards.

Yours sincerely,

