

Please ensure this form is placed at the top of your application when posted to Companies House.

# CIC 36

## Declarations on Formation of a Community Interest Company<sup>1</sup>

*Please complete in typescript, or in bold black capitals.*

**Company Name in full**

Neos Foundation CIC

### **SECTION A: COMMUNITY INTEREST STATEMENT – beneficiaries**

1. We/I, the undersigned, declare that the company will carry on its activities for the benefit of the community, or a section of the community<sup>2</sup>.

The objects of the Company are to carry on activities which benefit the community and in particular (without limitation) the Neos open source project. The Neos open source project creates open source software that can be used to develop web applications and web pages. The core products are the PHP application framework (“Flow”), the content management system and content application platform (“Neos”). Neos and Flow consist of further standalone components which are developed separately. These software components are provided free of charge and are publicly available for anyone.

The objectives of the Company are therefore to (but not limited to):

- support the development;
- marketing;
- distribution; and
- maintenance of the software components developed by the Neos open source project.

**COMPANY NAME**

Neos Foundation CIC

**SECTION B: Community Interest Statement – Activities & Related Benefit**

Please indicate how it is proposed that the company’s activities will benefit the community, or a section of the community. Please provide as much detail as possible to enable the CIC Regulator to make an informed decision about whether your proposed company is eligible to become a community interest company. It would be useful if you were to explain how you think your company will be different from a commercial company providing similar services or products for individual or personal gain.

<b>Activities</b> (Tell us here what the company is being set up to do)	<b>How will the activity benefit the community?</b> <i>(The community will benefit by...)</i>
Be an institutional home for the Neos open source project	<ul style="list-style-type: none"> <li>• Having a legal entity that is created solely for the purpose of furthering the goals of the Neos open source project</li> <li>• Having confidence that the project is set up independently from individual team members but rather in a formal way, representing long-term commitment to the project and products</li> <li>• Having a go-to place for formal requests for events, marketing support and brand questions</li> </ul>
Organize so-called sprints where core team members and contributors meet physically	<ul style="list-style-type: none"> <li>• Enhancements to the product which are developed at such sprints</li> <li>• Strategic project and product decisions that result from face-to-face conversations that provide a long-term vision</li> <li>• Screening and onboarding of new team and community members</li> <li>• Marketing the work of the project by writing news and posts in social media</li> </ul>

<p>Organize conferences directed at different target groups</p>	<ul style="list-style-type: none"> <li>• Having a flagship conference greatly enhances the visibility and credibility of the project among developers, users, agencies and community members</li> <li>• Having a flagship conference which acts as a yearly go-to event where in-depth product as well as roadmap and strategy information are shared with the community</li> <li>• Organizing smaller conferences which are targeted at specific groups such as end customers and users of the products. Such marketing events provide immense publicity with clients and are a stage where customers and team members meet to exchange ideas and answer questions</li> </ul>
<p>Protect the Neos brand</p>	<ul style="list-style-type: none"> <li>• Having an institution which holds the rights of the Neos brand instead of a single agency</li> <li>• Having an institution that provides brand guidelines to agencies and developers and ensures that the brand is used appropriately at events, for marketing purposes and on marketing collateral</li> </ul>
<p>Be a central place to collect and provide funding for Neos project activities</p>	<ul style="list-style-type: none"> <li>• Having an institution which collects funds instead of an agency. This gives confidence to the community that the project is independent from any specific agency and is not tied to the financial success of that agency. It also helps the community to trust that the funds are spent as intended – instead of having to rely on the promises of an agency.</li> <li>• Having an institution enforces transparency and accountability about funds collected and spent for and by the project</li> </ul>

Own the infrastructure for the Neos open source project	<ul style="list-style-type: none"> <li>• having the project's infrastructure independent from any agency but at a central place where the Neos team can work with it without being restricted by any third-party regulations (e.g. from a company that provides a certain software for the project)</li> <li>• having transparency who is administrating the infrastructure and who has which level of access to it</li> <li>• having direct control about which software and which versions to use</li> </ul>
Be a legal entity that can make contracts and receive invoices	<ul style="list-style-type: none"> <li>• being independent from agencies to rent spaces for events like sprints or conferences</li> <li>• being able to write invoices directly to the legal entity instead of an agency that acts as a proxy</li> </ul>
Employ employees who work in marketing, administration, operations	<ul style="list-style-type: none"> <li>• full-time employees who focus on the marketing of the Neos open source project</li> <li>• the possibility to employ brand evangelists who are independent from an agency and promote the Neos open source project and its products</li> <li>• centralized administration and operations for the project in terms of correspondence, accounting, event organization, marketing, merchandise sale and much more</li> </ul>
<p>If the company makes any surplus it will be used for... the benefit of the community by extending marketing and promotion activities such as merchandise, event participation for team members to promote the project and the improvement of development resources such as documentation and learning material.</p>	

(Please continue on separate sheet if necessary.)

**COMPANY NAME**

Neos Foundation CIC

**SECTION C:**

1. We/I, the undersigned, declare that the company in respect of which this application is made will not be:

- (a) a political party;
- (b) a political campaigning organisation; or
- (c) a subsidiary of a political party or of a political campaigning organisation.<sup>3</sup>

**SECTION D:**

Each person who will be a first director of the company must sign the declarations.

Signed	Gina Steiner <i>Gina Steiner</i>	Date	25 Jan 2017
Signed	Robert Lemke <i>Robert Lemke</i>	Date	25 Jan 2017
Signed	Tobias Gruber <i>Tobias Gruber</i>	Date	25 Jan 2017
Signed		Date	

**CHECKLIST**

**Have the first directors signed the CIC36?**

This form must be accompanied by the following documents:

- (a) Memorandum of Association
- (b) Articles of Association, which comply with requirements imposed by section 32 of the Act and Part 3 of the Regulations or which are otherwise appropriate in connection with becoming a community interest company
- (c) Form IN01- you need to indicate that the proposed company is adopting bespoke articles.
- (d) Any completed continuation sheets
- (e) A cheque or postal order for £35 made payable to Companies House

You do not have to give any contact information in the box opposite but if you do, it will help the Registrar of Companies to contact you if there is a query on the form. The contact information that you give will be visible to searchers of the public record.

Catherine Golledge	
Capital Law LLP	
Capital Building, Tyndall Street, Cardiff, CF10 4AZ	
	Tel 02920 474491
DX Number	DX Exchange

**When you have completed and signed this form, please ensure it is placed at the top of your application and send it to the Registrar of Companies at:**

*For companies registered in England and Wales:* New Companies Section, Companies House, Crown Way, Cardiff, CF14 3UZ  
DX 33050 Cardiff

*For companies registered in Scotland:* Companies House, 4<sup>th</sup> Floor, Edinburgh Quay 2, 139 Fountainbridge, EH3 9FF DX 235 Edinburgh

*For companies registered in Northern Ireland:* Companies House, 2nd Floor, The Linenhall, 32-38 Linenhall Street, Belfast, BT2 8BG

## NOTES

<sup>1</sup> This form will be placed on the public record. Any information relevant to the application that you do not wish to appear on the public record, should be described in a separate letter addressed to the CIC Regulator and delivered to the Registrar of Companies with the other documents.

<sup>2</sup> The community interest test is referred to in section 35 of the Companies (Audit, Investigations and Community Enterprise) Act 2004 and is expanded upon in regulations 3, 4 & 5 of the Regulations.

<sup>3</sup> A company is not eligible to be formed as a community interest company if it will be an "excluded company". If you are not sure whether the company which you wish to form falls into any of these categories, you should refer to the definitions of the terms "political party", "political campaigning organisation" and "subsidiary" (and of the related terms "election", "governmental authority", "public authority" and "referendum") in Regulation 2 of the Regulations before completing this form.