

# CONSTITUTION OF U3A BALLINA/BYRON INC

---

September 2017

## 1. NAME

The name of the Association shall be **THE UNIVERSITY OF THE THIRD AGE BALLINA/BYRON INCORPORATED** otherwise known as **U3A BALLINA/BYRON INC**, and hereinafter called the **ASSOCIATION**.

## 2. AIMS

The Third Age in the title indicates the primary focus is upon those who have retired from the active labour force, or those whose immediate parenting responsibilities have eased. In our context, it equally applies to those who cannot participate, for whatever reason, within the workforce.

Its overall aim is to provide them with both the stimulus of mental activity and the satisfaction of a continuing contribution to society. It will enable them to take up new interests and to extend old ones, it will offer the joy of learning for learning's sake, unrestricted by the requirements of vocation or in the desire for qualifications; and it will do so, principally, by drawing upon the extensive experience, skills and energies of its own members. In order to widen the number of tutors for our students we need to call on the wider community for tutors. These tutors would be made honorary members for the duration of their course, should they wish to participate in a class, then they would have to become members.

It is a mutual aid movement – a modern community of scholars, but one catering primarily for third-age people.

The objectives of the U3A Ballina/Byron are:

- a) to provide programmes of learning activities which offer stimulation and development to people who are in the third stage of life
- b) to create an organisation wherein co-operative investigation of a topic or area of mutual interest is a major focus of activities and experience and expertise are freely shared
- c) to operate this organisation in such ways that learning is pursued without reference to entry criteria, qualifications, assessment or awards and to create a climate free from discrimination according to colour, race, creed or sex
- d) to realise the potentialities of older adults and to increase community awareness of the fact that older people retain the capacity to acquire, absorb, and use new information and knowledge throughout their lives
- e) to act with others to improve the status and position of the elderly in our community
- f) to exchange ideas and resources with the other Universities of the Third Age, both in Australia and overseas; and to encourage the extension of similar organisations in other parts of Australia
- g) to do all such things as may be incidental to the attainment of the above objectives.

Guiding Principles for the Operation of the U3A Ballina/Byron are:

- i) Those who join as members will be encouraged to learn to teach, or in other ways to assist in the operation of the organisation.
- ii) In normal circumstances no salary will be paid to members or any other participants for their contributions as tutors, discussion leaders, convenors, organisers or office bearers.
- iii) People of any age may join U3A but emphasis will be on the needs and interests of third age people.

- iv) There will be no pre-requisites for participation and no assessment.
- v) U3A will be financed principally by annual membership fees at a level designed to meet operational costs. Any other support, financial or in kind will be accepted only on the condition that U3A remains independent.
- vi) Where a specific and identifiable cost or expense is incurred in conducting any programme or learning activity, the Management Committee may approve that a payment be made by participants in that particular programme or activity to defray such cost. Such payment shall be limited to the recovery of actual costs incurred.
- vii) The Management Committee may from time to time seek funds from other sources and/or approve such fund raising functions as it may consider will be beneficial in achieving the objectives of the association.
- viii) The programme will be as wide as the human resources of the members permit, subject to overall guidelines.
- ix) It is expected that the form each activity takes and the standard at which it is conducted will be set by mutual agreement between those participating in it.

### **3. MEMBERSHIP**

- a) Members shall be persons who have agreed to the above aims, objectives and principles and paid the membership fee set from time to time by the Annual General Meeting or any Special General Meeting
- b) Membership shall be for the calendar year from 1st March each year. Membership fees are due and payable on that date each year. Fees are not refundable once an official receipt has been issued.
- c) Annual fees shall be approved by a simple majority vote of those attending the Annual General Meeting or any Special General Meeting, but that meeting may, by a simple majority vote, authorise the Management Committee to change the fee within prescribed limits.
- d) Membership shall cease on
  - i) resignation in writing delivered to the office of the Association, or
  - ii) failure to renew membership within one month of expiry.
- e) Membership of the Association is a privilege, not a right. Accordingly the Association, acting through the Management Committee, is authorised to discontinue the attendance at any official activity, and, if necessary, terminate the membership of the member/s for any action prejudicial to the good order of such activity and to the aims, objectives and principles of the Association. In all cases the member or members shall be notified in writing and be asked to appear before the Management Committee.
- f) The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by clause 3 a-d
- g) A Life Member is a person elected by a majority of members present and entitled to vote at an Annual General Meeting, on the recommendation of the Management Committee.

Nominations for life membership shall be made in writing by two members and submitted for consideration and approval by the Management Committee. A person so nominated will be qualified by long and meritorious service to the Association. Only one such appointment may be made annually. A Life Member will be entitled to all the privileges of a financial member but will not be required to pay any annual subscription.

### **4. MANAGEMENT**

- a) Management shall be vested in the Executive Committee – consisting of the Officers of the Association as listed in 4(b), and up to 8 members of the general membership as the Annual General Meeting shall determine and the Chairperson of each sub-committee formed under the

provisions of 4(g). The Management Committee shall have the power to co-opt such other persons as they deem necessary in an ex-officio capacity.

b) The office-bearers of the Association shall be the President, the Vice President, the Secretary, the Treasurer who shall be elected by the members at the Annual General Meeting and the Public Officer who shall be elected by the Management Committee. The maximum term an office-bearer can serve is three (3) consecutive years in a particular role.

c) The Management Committee shall meet as often as may be required to conduct the business of the Association and not less than four times in each calendar year. The period covered by annual reports and financial reports to the annual meeting shall be the twelve month period up to the end of February each year.

d) The quorum for meetings of the Management Committee shall be one more than half the number of members. If the number of Committee members is less than the number required to make a quorum, then the existing Committee members may appoint enough financial members to establish a quorum.

e) An office bearer or member of the Management Committee shall cease to hold such office upon

i) resignation in writing

ii) absence from three successive committee meetings without explanation or apology

f) Vacancies unfilled or arising in the office bearers or other Management Committee members may be filled by the Management Committee co-opting members for the unexpired portion of the term.

g) The Management Committee will appoint such sub-committees as it considers necessary from time to time for the development of the Association, for the keeping of proper records, for the preparation and issuing of publications, for publicity and for such other reasons as the Management Committee may see fit. Such sub-committees shall report regularly to the Management Committee and shall continue to hold office as long as the Management Committee considers necessary.

h) While recognising the force of clause 2ii of the Guiding Principles, the Management Committee shall have the power to employ persons on such terms and conditions and for such periods as it deems necessary, if in the Committee's view the Association has need of services which cannot be adequately provided by volunteer workers.

## **5. PATRONS**

An Annual General Meeting or a Special General Meeting may appoint Patrons of the Association for such term as the meeting shall decide.

## **6. GENERAL MEETINGS**

a) The Annual General Meeting shall be held in March or April of each year. The business of the meeting shall include consideration of the annual report and financial statement, and election of officers, as listed in 4b, and up to 8 members of the Association as members of the Management Committee. Other business may be considered if it has been included on the notice calling the meeting. The Annual General Meeting shall be held not later than the last day of April in each year.

b) A Special General Meeting shall be called by the Secretary within 28 days of receipt of a directive of the Management Committee or by electronic or written request of 20 members, specifying the business to be conducted at the meeting.

c) A quorum at any General Meeting shall be 25.

d) A Special General Meeting shall be called by the secretary within 28 days of receipt of a directive of the Management Committee or a written request of 20 members, specifying the business to be conducted at the meeting.

e) A general meeting may be held at 2 or more venues using any technology approved by the committee that gives each member a reasonable opportunity to participate.

- f) A member who participates in a general meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

## **7. VOTING**

- a) Voting shall be by show of hands except that
- i) any contested election at an Annual General Meeting or otherwise shall be by secret ballot
  - ii) any meeting of the association may, by show of hands, require any other vote to be by ballot.
- b) The person chairing committee meetings and general meetings of the Association shall have both a deliberative and a casting vote.
- c) Electronic ballots can be conducted to determine any issue or proposal as decided by the committee. NOTE: a combination of a general meeting and electronic ballot or postal ballot is not allowed.

## **8. TREASURER**

- a) The Treasurer shall ensure that all monies received are paid into a bank account or other account approved by the Management Committee. Payments for expenses incurred may be made by cheque which shall be signed by any two of the three signatories appointed by the Management Committee or, where funds are banked into an account maintained by a Government Authority, the Management Committee may approve an alternative procedure.
- b) The Treasurer shall ensure that records are kept of all receipts, payments and other financial transactions. Such records shall be available for inspection by any member giving reasonable notice.
- c) The Treasurer shall prepare annual financial statements for consideration at the Annual General Meeting and shall make interim financial reports as necessary to the Management Committee.

## **9. SECRETARY**

- a) The Secretary shall call meetings in accordance with the provisions of this constitution.
- b) The Secretary shall keep records of the business of the Association including the constitution and policies, records of members, a register of minutes of meetings and a file of correspondence.
- c) Another member shall be elected as Minute Secretary if deemed necessary by the Management Committee.
- d) Inspection of Books – Records, books and other financial documents of the Association, this constitution, and minutes of all committee meetings and general meetings of the Association will be made available for inspection, free of charge, by a member of the Association at any reasonable hour. A member of the Association may obtain a copy of any of these documents on payment of a fee of not more than \$1 per page copied.

## **10. PUBLIC OFFICER**

The Public Officer will carry out the duties as per Associations Incorporation Act 2009 and any amendments thereof.

## **11. AMENDMENT OF THE CONSTITUTION**

This Constitution may be repealed, altered or amended by resolution of two-thirds of members present and voting at a general meeting of which not less than seven days written notice (including notice of the repeal, alteration or amendment) has been advertised or distributed to all members.

## **12. INDEMNITY**

Members who by authority accept or incur any liability on behalf of the Association shall be indemnified against any personal loss in respect of such liability.

## **13. DISSOLUTION**

a) The Association shall not be dissolved except by approval of not less than two-thirds of the members present and voting at a general meeting called for the purpose of which not less than 28 days written notice, including notice of the proposed dissolution, has been given to all members.

b) On dissolution, all property of the Association, whether real or personal, remaining after payment of all debts and legal liabilities, shall be transferred to such other body with similar objectives as shall be approved by the Association, provided that, if the Association shall have been approved pursuant to Section 78(1) of the Income Tax Assessment Act, then the recipient body shall also have been approved.

## **14. IMPLEMENTATION**

This Constitution shall come into force at the Management Committee meeting convened on the 14<sup>th</sup> April 1994.

## **15. GRIEVANCE HANDLING AND DISPUTES RESOLUTION**

The Management Committee will

- a) identify and seek to redress individual grievances and disputes
- b) take action to resolve the problem and determine the underlying causes
- c) deal with grievances and disputes at all levels and encourage open discussion
- d) treat all parties confidentially and without victimisation
- e) in the event of non-resolution the Management Committee will consult its legal representative.

## **16. CHANGE OF NAME, OBJECTIVES AND CONSTITUTION**

An application for registration of a change in the association's name, objectives or constitution in accordance with section 10 of the Act is to be made by the Public Officer or a Committee member.

## **17. CUSTODY OF BOOKS ETC**

Except as otherwise provided by this constitution, all records, books and other documents relating to U3A Ballina/Byron Inc must be kept in New South Wales at the official address of U3A Ballina/Byron Inc, or as directed by the Committee.

## **18. INSPECTION OF BOOKS ETC**

- (1) All records, financial documents, constitution and minutes of all meetings are to be made available for inspection to members free of charge.
- (2) A member may obtain a copy of any of the documents mentioned above on payment of a fee of \$1 per page.
- (3) Despite subclauses (1) and (2), the committee may refuse to permit a member to inspect or obtain a copy of records that relate to confidential, personal or legal matters or where to do so may be prejudicial to the interests of U3A Ballina/Byron Inc.