
THE UNIVERSITY OF THE THIRD AGE (SOUTH COAST) INCORPORATED

CONSTITUTION AND RULES

Registration Number [A19100]

PREAMBLE

- The organisation known as The University of the Third Age (U3A) commenced in France in 1973 and later spread throughout most developed countries of the world.
- The University of the Third Age (South Coast) Incorporated, hereinafter referred to as U3A (SC), was incorporated on 12 June 1990 pursuant to the provisions of the Associations Incorporation Act (*the Act*) following a public meeting called by the Steering Committee at the RSL Hall, Flinders Parade, Victor Harbor on 21 May 1987. The Constitution was amended on 29 November 2001 and subsequently in 2013 and 2017.
- The Steering Committee comprised Fae Arblaster, Mary Ashton, Madeleine Brunato, Flora Hendry, Joyce Pettersen, Ron Reynolds, Colin Lawton and Sylvia Jobling
- U3A (SC) is a self-help adult education movement. It is committed to the joy of learning for its own sake, unrestricted by requirements of vocation or the desire for qualifications. There are no prerequisites for participation and no assessments.
- U3A(SC) offers its members opportunities for friendship and companionship in programs developed by members, presented by them or by guest presenters. The topics are unlimited and include current affairs, history, language, music, art and excursions
- Membership is offered to people who have retired from employment, and/or are people generally over the age of 55 years and who can be described as being in the third stage of life.

1. NAME

The name of the Association is The University of the Third Age (South Coast) Incorporated, known as U3A (SC), and called "the Association".

2. OBJECTIVES

The objectives of the Association are for the benefit of its members, who are persons who have attained the third stage of life. They are as follows;

- (1) To provide programs and activities which offer stimulation, development and encourage learning
- (2) To encourage a sharing of experiences and expertise in activities for mutual pleasure
- (3) To operate without requiring members to have previous qualifications, skills or awards
- (4) To provide a climate free from any discrimination such as colour, race, creed, sex
- (5) To advocate that older adults have needs and rights to access educational and vocational centres for pleasure and for learning
- (6) To advocate the improvement and status of older adults in the community
- (7) To hire and/or acquire venues in which to present programs
- (8) To hire and/or acquire equipment for the presentation of programs

- (9) To exchange ideas and resources with other Universities of the Third Age, both in Australia and overseas; and to encourage the extension of similar organisations in other parts of South Australia and Australia
- (10) To liaise with other organisations having similar objectives, and
- (11) To do all such things as may be incidental to the attainment of the above objectives.

3. POWERS

The Association has the powers conferred by Section 25 of the Act and it may;

- (1) Subscribe to, affiliate with, become a member of and cooperate with any other organisation with similar objectives
- (2) Enter into arrangements with any government or authority that are conducive to the attainment of the objectives and the exercise of these powers
- (3) Publish any papers that promote its objectives, and
- (4) Dispose of any property as necessary.

4. MEMBERSHIP

Membership is available to any person who supports the objectives of the Association and who has attained the third stage of life. Application for membership is made in writing and is signed by the applicant. Upon acceptance of the application by the Committee and the payment of the annual subscription the applicant becomes a member.

5. LIFE MEMBERSHIP

A General Meeting of members may, upon the recommendation of the Committee, confer Honorary Life Membership upon a member for outstanding service to the Association. An Honorary Life Member thereafter ceases to pay an annual subscription but is for all other purposes treated as a financial member.

6. SUBSCRIPTIONS

- (1) The annual subscription for membership is such sum as the members determine from time to time in a General meeting
- (2) Membership is for a calendar year or till 31 December if joining during the year
- (3) The subscription is payable annually on or by 1 January each year or at such other times as the Committee determines
- (4) Any member whose subscription is outstanding for more than three months after the due date for payment ceases to be a member of the Association, provided always that the Committee may reinstate the person's membership on such terms as it thinks fit.

7. RESIGNATION

A member may resign from membership by giving written notice to the Secretary. Any member so resigning is liable for any outstanding subscriptions which are recoverable as a debt due to the Association.

8. EXPULSION OF A MEMBER

- (1) Subject to giving a member an opportunity to be heard or to make a written submission, the Committee may resolve to expel a member upon a charge of misconduct detrimental to the interests of the Association
- (2) Particulars of the charge must be communicated to the member at least twenty-eight (28) days before the meeting of the Committee at which the matter will be determined
- (3) The decision of the Committee must be communicated to the member, and in the event of an adverse decision the member, subject to sub-rule (4), ceases to be a member fourteen (14) days after the decision of the Committee has been communicated to the member
- (4) The member may appeal to the members in a General Meeting against the expulsion. The intention to appeal must be given to the Secretary within fourteen (14) days after the decision of the Committee has been communicated to the member
- (5) In the event of an appeal under sub-rule (4) the appellant's membership must not be terminated unless the determination of the Committee to expel the member is upheld by the members in a General Meeting after the appellant has been heard. In that event membership terminates at the date of the General Meeting at which the decision of the Committee is upheld.

9. THE COMMITTEE

- (1) The affairs of the Association are managed by a Committee which in addition to any powers and authorities conferred by these rules may exercise all powers and do all things as are within its objectives and are not by the Act or these rules required to be done by the Association in a General Meeting
- (2) The Committee has the power to appoint officers and employees as are required to carry out the objectives of the Association, and may delegate any of its powers to those officers and employees
- (3) The Committee is comprised of the Office Bearers, being a President, Vice-President, Secretary (who is the Public Officer) and Treasurer, together with the Chairperson of the Program Sub-committee or their delegated representative, three ordinary members and the immediate Past President (for one year)
- (4) The Committee is elected at the Annual General Meeting and holds office from the end of that Annual General Meeting until the end of the next Annual General Meeting.
- (5) The President is eligible to renominate for one further term as President thus allowing a maximum of two consecutive terms
- (6) A member who has served as President after standing down for at least one term may nominate again for the position of President subject to sub-rule (5).
- {7} The Committee may appoint a member to fill a casual vacancy and that Committee Member, holds office until the end of the next Annual General Meeting but is eligible for election subject to sub-rule (4)
- (8) The Committee meets as often as may be required to conduct the business of the Association but not less than six (6) times in each calendar year
- (9) The President or two other members of the Committee have power to call a meeting of the Committee

- (10) Notice of meeting is given at the previous Committee Meeting or by seven (7) days written notice distributed to all Committee Members or by such other notice as is ratified by the Committee
- (11) Membership of the Committee ceases when a member
 - (a) Is permanently incapacitated by ill health
 - (b) Resigns in writing
 - (c) Is expelled as a member under these Rules
 - (d) Is absent from three successive Committee Meetings without explanation acceptable to the Committee
 - (e) Is disqualified from being a Committee Member by the Act
- (12) A Committee member having a pecuniary interest in a contract with the Association must disclose that interest to the Committee as required by the Act, and must not vote with respect to that contract.
- (13) The Committee may function validly notwithstanding any vacancies for as long as its number is not reduced below that of the quorum.
- (14) The Committee shall appoint a Program Sub-committee, members to serve for a calendar year, to plan the Association's educational activities, appoint co-ordinators and facilitators and engage presenters, and to arrange suitable venues. The Committee may also appoint persons or Sub-committees for administration of such matters as keeping records of membership and enrolments in U3A activities; finances; the editing and publishing of newsletters and other publications; and for any other purpose as it sees fit. Persons and Sub-committees appointed under this provision are to report to the Committee as required.
- (15) Members of Sub-committees and those appointed by the Committee to undertake specific functions such as Publicity Officer, Membership Secretary or Newsletter Editor, are appointed for a specified term. Casual vacancies are filled by a member appointed by the Committee. A representative of any Sub-committee or a member appointed to undertake a specific function, may be invited to attend Committee Meetings and may, at the discretion of the Chairperson, participate in debate but does not have voting powers.

10. GENERAL MEETINGS

- (1) The Annual General Meeting is held within three (3) months of the end of the financial year. The business of the meeting includes consideration of the annual report and financial statements, the election of the Committee, appointment of an honorary auditor and any other business included on the notice calling the meeting.
- (2) Nominations for elected positions are invited from members at least twenty-eight (28) days before the Annual General Meeting and nominations close at 5:00pm seven (7) clear days before that meeting. The Committee shall appoint a Returning Officer to be responsible for the calling of nominations and the conduct of a poll should nominations for any position exceed the number of vacancies. Nominations must be posted to the Returning Officer.
- (3) Written notice of at least twenty-eight (28) days of the Annual General Meeting must be distributed to all members and displayed at any premises occupied by the Association.
- (4) A General Meeting must be called by the Secretary within twenty-eight (28) days of receipt of a directive of the Committee or a written request of at least twenty (20) members, specifying the business to be conducted at the meeting.

11. QUORUM

- (1) The quorum for any meeting of the Committee shall be a minimum of five members, and for any Sub-committee the quorum shall be half the number of members of such Sub-committee
- (2) The quorum for any Annual General or General Meeting is 30 members or one-fifth of the membership, whichever is the lesser number
- (3) If at any Annual General or General Meeting a quorum is not present within thirty (30) minutes of the time appointed for the meeting, then a majority of members present may decide to adjourn the meeting for a period not exceeding fourteen (14) days. The quorum for that adjourned meeting is reduced to twenty (20) failing which the meeting will lapse altogether.

12. VOTING RIGHTS

- (1) Voting is by a show of hands except in any contested election when it is by secret ballot, and when the meeting by show of hands requires any issue to be resolved by secret ballot
- (2) Each member present at any meeting is entitled to one (1) vote on each issue
- (3) The Chairperson has a casting vote but does not have a deliberative vote

13. PATRON

Members at an Annual General Meeting or a General Meeting may appoint a Patron of the Association for such term as the meeting decides.

14. COMMON SEAL

- (1) The Association must have a Common Seal upon which its corporate name appears in legible characters.
- (2) The seal must not be used without the express authorisation of the Committee, and every use of the seal shall be recorded in the Minute Book of the Association. The affixing of the seal is witnessed by any two (2) of the Committee members.

15. FINANCIAL YEAR

The financial year ends each 31 December.

16. FINANCE AND PROPERTY

- (1) Persons who by authority accept or incur any pecuniary liability on behalf of the Association are held indemnified against any personal loss in respect of that liability
- (2) The income, property and funds of the Association must be used and applied solely towards the promotion of the objectives and must not be paid or transferred to the members or relatives of members provided that any payment in good faith may be made to any person in return for services actually rendered or to any person in furtherance of the objectives of the Association and without undue preference.

17. PRESIDENT

The President:

- (1) Chairs all meetings except that in the absence of the President, the Vice-President chairs those meetings
- (2) Together with the Secretary prepares the agenda for the meetings

(3) Acts as a spokesperson unless an alternative spokesperson is appointed by the Committee or by members at a General Meeting. The spokesperson may only make statements in accordance with previously agreed policy, or in an emergency, following consultation with at least two (2) members of the Committee

(4) Signs minutes of previous meetings and inserts the date on which the minutes are signed.

18. TREASURER

The Treasurer:

(1) Causes monies received to be paid into accounts authorised by the Committee in the name of the Association. Payments may be made by petty cash, cheque or internet banking. Payments made by cheque or internet banking must be authorised by two (2) authorized Office Bearers. Major (being \$200 or more) or unusual expenditures, must be authorised in advance by the Committee or members in a General Meeting

(2) Causes records to be kept of all receipts and payments and other financial transactions, which records must be available for inspection by any member

(3) Causes financial budgets and statements to be prepared and submits a report on the finances to each Committee meeting

(4) Collates financial statements for the attention of the Auditor at the end of each financial year

(5) Presents financial statements and audited accounts to the Annual General Meeting.

19. SECRETARY

The Secretary:

(1) Gives notice of meetings in accordance with the provisions of these Rules

(2) Keeps Association records including the Constitution and Policies, Minutes of meetings and of notices, a file of correspondence, and records of submissions or reports made by or on behalf of the Association.

(3) Keeps the register of all members recording names and addresses when admitted to the Association and if applicable, the date of and reason(s) for termination of membership

(4) Is the correspondent for the Association.

(5) Is the custodian of the Common Seal.

In the absence of the Secretary or at the request of the Secretary, the meeting may elect another member as Minute Secretary.

20. AMENDMENT OF CONSTITUTION

This Constitution may be repealed or amended by resolution of two-thirds of members present and voting at a General Meeting of which not less than twenty-eight (28) days' written notice including notice of the proposed repeal, alteration of amendment has been distributed to all members.

2I. DISSOLUTION

On dissolution, all property whether real or personal, remaining after payment of all debts and legal liabilities must be transferred to another body formed for promoting similar objectives or for charitable objectives and as approved by the members. However, the Association must not dissolve unless approved by not less than three-quarters of members present and voting at a meeting called for that purpose of which not less than twenty-eight (28) days' written notice including notice of the proposed dissolution has been given to all members.