

**GRIFFITH U3A INC**

**DRAFT CONSTITUTION**

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## Part 1 - Preliminary

### 1a. Definitions

(1) In this constitution:

**association** means Griffith U3A Incorporated.

**Director-General** means the Director-General of the Department of Services, Technology and Administration.

**ordinary committee member** means a member of the committee who is not an office-bearer of the association.

**secretary** means:

(a) the person holding office under this constitution as secretary of the association, or

(b) if no such person holds that office - the public officer of the association.

**special general meeting** means a general meeting of the association to which clause 25 applies.

**the Act** means the [Associations Incorporation Act 2009](#).

**the Regulation** means the [Associations Incorporation Regulation 2010](#).

(2) In this constitution:

(a) a reference to a function includes a reference to a power, authority and duty, and

(b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the [Interpretation Act 1987](#) apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

### 1b. Objects

To provide affordable learning opportunities for older people in Griffith and district using the skills and abilities of the members themselves wherever possible;

To promote its activities by publicizing through various media;

To encourage involvement in the wider community;

To encourage co-operation and networking between other U3As in NSW and beyond;

To establish and maintain links with other educational and seniors' organizations;

To embody the principles of the U3A movement including:-

Those who learn shall teach and those who teach shall learn, and there shall be no distinction between the two;

There shall be no qualifications for membership, and no awards, degrees or diplomas shall be given;

The emphasis shall be on learning for the love of it;

Learning shall take place in a friendly, supportive, social environment;

There shall be no payment to any person (member or non-member) for teaching or providing a service to members except in the case of reimbursement for such expenses as travel, photocopying, etc.;

The curriculum shall be determined by the needs/preferences of the members and according to the resources available to it;

To be at all times, non-political and non-sectarian in our approach.

## **Part 2 - Membership**

### **2. Membership generally**

- (1) A person is eligible to be a member of the association if:
  - (a) the person is a natural person, and
  - (b) the person has applied for and been approved for membership of the association in accordance with clause 3.
- (2) A person is taken to be a member of the association if:
  - (a) the person is a natural person, and
  - (b) the person was:
    - (i) in the case of an unincorporated body that is registered as the association - a member of that unincorporated body immediately before the registration of the association, or
    - (ii) in the case of an association that is amalgamated to form the relevant association - a member of that other association immediately before the amalgamation, or
    - (iii) in the case of a registrable corporation that is registered as an association - a member of the registrable corporation immediately before that entity was registered as an association.
- (3) A person is taken to be a member of the association if the person was one of the individuals on whose behalf an application for registration of the association under section 6 (1) (a) of the Act was made.

### **3. Nomination for membership**

- (1) An application by a person for membership of the association:
  - (a) must be made by the applicant in writing in the form set out in Appendix 1 to this constitution accompanied by a joining fee, if any, and the relevant subscription.
  - (b) The application must be lodged with the secretary of the association.
- (2) As soon as practicable after receiving an application for membership, the secretary must refer the applicant to the constitution on the association's website which the applicant is deemed to have read and understood. The secretary may refer the application to the committee to determine whether to approve or to reject the application otherwise the application is deemed to be approved and the applicant is deemed to be bound by the constitution.
- (3) As soon as practicable after the committee makes any such determination, the secretary must notify the applicant, in writing, that the committee approved or rejected the application (whichever is applicable), and if the committee rejected the application, refund any sums paid by way of joining fee and subscription.
- (4) Subject to sub-clause (3) the secretary must, on payment by the applicant of the amounts referred to in subclause (2), enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the association.

### **4. Cessation of membership**

- A person ceases to be a member of the association if the person:
- (a) dies, or

- (b) resigns membership, or
- (c) is expelled from the association, or
- (d) fails to pay the annual membership fee under clause 8 (2) within 6 months after the fee is due.

### **5. Membership entitlements not transferable**

A right, privilege or obligation which a person has by reason of being a member of the association:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

### **6. Resignation of membership**

- (1) A member of the association may resign from membership of the association by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of the association ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

### **7. Register of members**

- (1) The public officer of the association must establish and maintain a register of members of the association specifying the name and postal or residential address of each person who is a member of the association together with the date on which the person became a member.
- (2) The register of members must be kept in New South Wales:
  - (a) at the main premises of the association, or
  - (b) if the association has no premises, at the address of the current secretary of the association.
- (3) The register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (4) A member of the association may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- (5) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- (6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
  - (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association, or
  - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

## **8. Fees and subscriptions**

- (1) A member of the association must, on admission to membership, pay to the association such joining fee as may be determined by the association.
- (2) In addition to any amount payable by the member under subclause (1), a member of the association must pay to the association such annual membership fee as is determined by the association as soon as practicable after 1 May in each calendar year.

## **9. Members' liabilities**

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 8.

## **10. Resolution of disputes**

- (1) A dispute between a member and another member (in their capacity as members) of the association, if unresolved by the executive of the association after considering arguments put by both parties, or a dispute between a member or members and the association, may be referred to a community justice centre for mediation under the [Community Justice Centres Act 1983](#).
- (2) If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute may be referred to arbitration.
- (3) The [Commercial Arbitration Act 1984](#) applies to any such dispute referred to arbitration.

## **11. Disciplining of members**

- (1) A complaint may be made to the committee by any person that a member of the association:
  - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
  - (b) has wilfully acted in a manner prejudicial to the interests of the association.
- (2) The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the committee decides to deal with the complaint, the committee:
  - (a) must cause notice of the complaint to be served on the member concerned, and
  - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
  - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) The committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- (5) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the

action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 12.

- (6) The expulsion or suspension does not take effect:
- (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
  - (b) if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under clause 12, whichever is the later.

## ***12. Right of appeal of disciplined member***

- (1) A member may appeal to the association in general meeting against a resolution of the committee under clause 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the secretary must notify the committee which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the association convened under subclause (3):
  - (a) no business other than the question of the appeal is to be transacted, and
  - (b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
  - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) The appeal is to be determined by a simple majority of votes cast by members of the association.

### **Part 3 - The committee**

## ***13. Powers of the committee***

Subject to the Act, the Regulation and this constitution and to any resolution passed by the association in general meeting, the committee:

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by this constitution to be exercised by a general meeting of members of the association, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

## ***14. Composition and membership of committee***

- (1) The executive committee is to consist of the office-bearers of the association each of whom is to be elected at the annual general meeting of the association under clause 15.
- (2) The office-bearers of the association are as follows:
  - (a) the president,
  - (b) the vice-president,



- (c) the secretary,
  - (d) the assistant secretary,
  - (e) the treasurer,
  - (f) the assistant treasurer,
  - (g) the publicity officer,
  - (h) the membership officer,
  - (i) the representative on the Senior Citizens' Centre committee,
  - (j) the webmaster,
  - (k) the Public Officer,
  - (l) such other office bearers as the association may decide to appoint from time to time.
- (3) There shall be three (3) general committee members of the association or such other number as the association may decide to appoint from time to time.
- (4) A committee member may hold up to 2 offices (other than both the president and vice-president offices).
- (5) Each member of the committee is, subject to this constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

### **15. Election of committee members**

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members:
- (a) may be made in writing, signed by a member of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
  - (b) if in writing must be delivered to the secretary of the association at or prior to the annual general meeting at which the election is to take place.
  - (c) verbal nominations may be made at the annual general meeting.
- (3) If insufficient nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and committee members is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) A person nominated as a candidate for election as an office-bearer or committee member must be a member of the association.

### **16. Secretary**

- (1) The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to keep minutes of:

- (a) all appointments of office-bearers and ordinary members of the committee, and
  - (b) the names of members of the committee present at a committee meeting or a general meeting, and
  - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

### **17. Treasurer**

It is the duty of the treasurer of the association to ensure:

- (a) that all money due to the association is collected received and banked and that all payments authorised by the association are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

### **18. Casual vacancies**

- (1) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the committee occurs if the member:
- (a) dies, or
  - (b) ceases to be a member of the association, or
  - (c) becomes an insolvent under administration within the meaning of the [Corporations Act 2001](#) of the Commonwealth, or
  - (d) resigns office by notice in writing given to the secretary, or
  - (e) is expelled from the association under clause 11 or is removed from office under clause 19, or
  - (f) becomes a mentally incapacitated person, or
  - (g) is absent without the consent of the association from such number of consecutive meetings of the association as it may decide from time to time, or
  - (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
  - (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the [Corporations Act 2001](#) of the Commonwealth.

### **19. Removal of committee members**

- (1) The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

- (2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **20. Meetings**

- (1) The committee should meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Notice of meetings may be handed to members or given by post, by email to the last notified address, or, except a special general meeting, orally.
- (4) Notice of a meeting given under subclause (3) may specify the general nature of the business to be transacted at the meeting.
- (5) Any 6 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week, unless unanimously agreed otherwise.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:
  - (a) the president or, in the president's absence, the vice-president is to preside, or
  - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

## **21. Delegation to sub-committee**

- (1) The association may delegate to one or more sub-committees (consisting of such member or members of the association as it thinks fit) the exercise of such of the functions of the association as it thinks fit, other than:
  - (a) this power of delegation, and
  - (b) a function which is a duty imposed on the association or the executive committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the resolution appointing the delegation.

- (4) Despite any delegation under this clause, the association may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the association.
- (6) The association may, by resolution, revoke wholly or in part any delegation under this clause.
- (7) A sub-committee may meet and adjourn as it thinks proper.

## **22. Voting and decisions**

- (1) Questions arising at a meeting of the association or of any sub-committee appointed by the association are to be determined by a majority of the votes of members of the association or sub-committee present at the meeting.
- (2) Each member present at a meeting of the association or of any sub-committee appointed by the association (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to clause 20 (5), the committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the association or by a sub-committee appointed by the association, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the association or sub-committee.

### **Part 4 - General meetings**

## **23. Annual general meetings - holding of**

- (1) The association must hold its first annual general meeting within 18 months after its registration under the Act.
- (2) The association must hold its annual general meetings:
  - (a) within 3 months after the close of the association's financial year, or
  - (b) within such later time as may be allowed by the Director-General or prescribed by the Regulation.

## **24. Annual general meetings - calling of and business at**

- (1) The annual general meeting of the association is, subject to the Act and to clause 23, to be convened on such date and at such place and time as the association thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
  - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
  - (b) to receive reports on the activities of the association during the last preceding financial year,
  - (c) to elect office-bearers of the association and ordinary committee members,
  - (d) to receive and consider any financial statement or report required to be submitted to members under the Act, and

(e) to authorise the public officer to lodge the Annual summary of financial affairs with NSW Fair Trading.

(3) An annual general meeting must be specified as such in the notice convening it.

## **25. Special general meetings - calling of**

(1) The association may, whenever it thinks fit, convene a special general meeting of the association.

(2) The association must, on the requisition in writing of at least 10 per cent of the total number of members, convene a special general meeting of the association.

(3) A requisition of members for a special general meeting:

(a) must state the purpose or purposes of the meeting, and

(b) must be signed by the members making the requisition, and

(c) must be lodged with the secretary, and

(d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

(4) If the association fails to convene a special general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

(5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

## **26. Notice**

(1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting provided that in the case of the annual general meeting sufficient notice to members is deemed given if it is included in Term 2's brochure or published in a newspaper circulating in Griffith and district..

(2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.

(3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 24 (2).

(4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

## **27. Quorum for general meetings**

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) Twelve members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
  - (a) if convened on the requisition of members, is to be dissolved, and
  - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 6) are to constitute a quorum.

## **28. Presiding member**

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the association.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

## **29. Adjournment**

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting. For the purposes of this subclause an email incorporating the above particulars to the last notified address of the member is deemed to be written notice.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## **30. Making of decisions**

- (1) A question arising at a general meeting of the association is to be determined by either:
  - (a) a show of hands, or
  - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.

- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

### **31. Special resolutions**

A special resolution may only be passed by the association in accordance with section 39 of the Act which, inter alia, requires at least 21 days' notice to members and the support of at least three-quarters of the votes cast by members entitled to vote.

### **32. Voting**

- (1) On any question arising at a general meeting of the association a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid.
- (4) A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age.

### **33. Proxy votes not permitted**

Proxy voting must not be undertaken at or in respect of a general meeting.

### **34. Postal ballots**

- (1) The association may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 12).
- (2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

## **Part 5 - Miscellaneous**

### **35. Insurance**

The association may effect and maintain such insurance as is determined by the committee or a general meeting.

### **36. Funds - source**

- (1) The funds of the association are to be derived from any joining fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the association determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

### **37. Funds - management**

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the executive committee of the association, being members authorised to do so by the association.

### **38. Change of name, objects and constitution**

- (1) The name of the association its objects and these rules may be altered, rescinded or added to only by a special resolution of the association.
- (2) An application to the Director-General for registration of a change in the association's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a committee member.

### **39. Custody of books etc**

Except as otherwise provided by this constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

### **40. Inspection of books etc**

- (1) The following documents must be open to inspection, free of charge, by a member of the association at any reasonable hour:
  - (a) records, books and other financial documents of the association,
  - (b) this constitution,
  - (c) minutes of all meetings of the association.
- (2) A member of the association may obtain a copy of any of the documents referred to in subclause (1) on payment of such reasonable fee that the association may specify.

### **41. Service of notices**

- (1) For the purpose of this constitution, a notice may be served on or given to a person:
  - (a) by delivering it to the person personally, or
  - (b) by sending it by pre-paid post to the address of the person, or
  - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
  - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
  - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
  - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which



the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

#### **42. Financial year**

The financial year of the association is:

- (a) the period of time commencing on the date of incorporation of the association and ending on the following 30 April, and
- (b) each period of 12 months after the expiration of the previous financial year of the association, commencing on 1 May and ending on the following 30 April.

#### **43. Guidelines**

The association may compile guidelines for the guidance of members requiring mentoring on researching and presenting topics or courses or such other matters as the association determines.

#### **44. Winding Up**

On the winding up or cancellation of registration of the association the nett assets of the association (after payment of any debts and expenses including any associated with the winding up) will not under any circumstances be distributed amongst the members but in accordance with the following special resolution passed by the association at the time of adopting this constitution:

- (a) as to any asset or any unexpended part of a grant that has been provided by a government or public authority – to be returned to that authority;
- (b) as to any other assets or funds, to be distributed to such other U3As or like associations whose constitution, at the time of distribution, prohibits the distribution of property to its individual members.

### **Appendix 1 Application for membership of association**

(Clause 3 (1))

#### **GRIFFITH U3A Inc**

Informal learning for seniors in a relaxed and friendly environment

#### **APPLICATION FOR MEMBERSHIP OF ASSOCIATION**

Preferred first  
name.....Surname.....

.

Residential  
Address.....

.....

Postcode.....

Postal address (if different to above).....  
.....

Email.....

Phone No.....

Your past or present occupation.....

Age range (please circle) Under 50    50-59    60-69    70-79  
   80-89    90+

Please list any special interests.....

**I acknowledge that this information is necessary to enable Griffith U3A Inc to administer its affairs and consent to it being used for that purpose.**

**I hereby agree to become a member of Griffith U3A Inc and if admitted agree to abide by the Association’s Constitution / Rules.**

Signature.....

Date.....

Subscription (as at June 2014) \$40.00 per annum  
(or \$20.00 if joining after 31 October) payable to:

Griffith U3A Inc  
PO Box 2083  
GRIFFITH NSW 2680

**Thank you for your interest in Griffith U3A Inc.**

**We trust you will benefit from being a member by keeping your brain active while meeting new friends**

