u3a
Plettenberg Bay

Plettenberg Bay u3a Constitution

1 Name

The name of the association is Plettenberg Bay University of the Third Age (u3a), referred to in this document as Plett u3a.

2 Objective

To promote lifelong learning for all ages, in particular older people and those retired from full time work, by providing stimulating programmes conducive to learning and social interaction through a voluntary self-help community in which all members enjoy equal status.

3 Powers

In furtherance of the above Plett u3a may:

3.1 Purchase, lease, invest in, exchange, let out, hire, or otherwise acquire, sell or dispose of movable and immovable property, subject to consents required by law;

3.2 Organise and engage in activities relating to Plett u3a's objectives and publish materials (in print or electronic formats) in support of such objectives;

3.3 Receive donations, endowments, sponsorship fees, subscriptions and legacies from persons desiring to promote any of the objectives of Plett u3a and to hold funds in trust for Plett u3a;

3.4 Open and operate accounts at banks and other financial institutions under the signatures of not less than two persons authorised by the Committee (see also Section 7 below);

3.5 Cooperate and assist like-minded organisations where appropriate.

4 Membership

4.1 All persons interested in supporting the objectives of Plett u3a shall be admitted to membership upon payment of the annual subscription (as determined by the Committee or the Annual General Meeting)

4.2 Membership is open to all, without qualification or age requirements, provided they agree to abide by this constitution and any conditions imposed by the Committee.

4.3 The Committee may award honorary membership to those individuals who have made a significant contribution towards Plett u3a and for such periods it deems appropriate.

4.4 Membership shall terminate when:

4.4.1 Membership or other fees remain unpaid within three (3) months of the due date;

4.4.2 A written notice of resignation is received from a member;

4.4.3 A member acts in a way which is prejudicial to Plett u3a or brings it into disrepute, provided that the individual concerned shall have the right to be heard by the Committee before a final decision is made, which decision shall be firm and binding.

5 Administration

5.1 The administration of Plett u3a shall be vested in a committee consisting of voluntary members whose duty shall be to carry out its general policy and provide for the management and control of the affairs and property of Plett u3a in accordance with its constitution.

5.2 Committee composition and appointments

5.2.1 The Committee shall consist of at least five and not more than ten members, excluding co-opted members.

5.2.2 No more than two further members of good standing may be co-opted for specific purposes and for such periods as determined by the Committee. Such co-opted members shall have full voting rights only in respect of the issue/s for which he/she was co-opted and their term of office shall expire at the next Annual General Meeting.

5.2.3 Persons, who need not be members, may be invited by the Committee to serve because of their special expertise. They shall not have voting rights and their terms of service shall expire at the next Annual General Meeting.

5.2.4 The Committee shall comprise the following members: Chairperson, Deputy Chairperson, Secretary and Treasurer, as well as portfolio holders.

5.2.5 The office bearers (consisting of the Chairperson, Deputy Chairperson, Secretary and Treasurer as well as portfolio holders) shall be appointed by the Committee at its first meeting following the Annual General Meeting.

5.2.6 The newly elected committee shall take office at the conclusion of the Annual General Meeting.

5.3 Nominations and elections of committee members

5.3.1 The election of the Committee shall be held at the Annual General Meeting of Plett u3a.

5.3.2 All members standing for election to the Committee shall be nominated and seconded by two members in good standing and such nominations should be made in writing prior to the Annual General Meeting, or, with the Chairperson's permission, at the Annual General Meeting.

5.4 Tenure of committee members

5.4.1 Committee members shall serve for a period of one (1) year but shall be eligible for re-election.

5.4.2 After a period of four (4) successive years on the Committee a waiting period of one (1) year shall apply before a member can again be eligible for election to the Committee.

5.4.3 The Chairperson shall not serve more than two (2) consecutive years in that position.

5.4.4 Committee members may resign from office by giving not less than twenty-one days' (21) notice in writing to the Secretary. The Committee shall have powers to co-opt additional members to fill vacancies in the Committee. Such appointees shall serve until the next Annual General Meeting, when they shall be eligible for election to the Committee.

5.5 The Committee may appoint sub-committees to which it may, for such time as it determines, delegate the transaction of such matters and the performance of such acts it thinks fit. The Committee shall exercise supervision over the proceedings and acts of such sub-committees. Sub-committees shall report to the Committee as soon as possible on actions taken under delegated powers.

5.6 Committee meetings and voting

5.6.1 There shall be no fewer than four (4) Committee meetings per year.

5.6.2 Special committee meetings may be called at any time by the Chairperson, or any two committee members, after seven (7) days' notice to all committee members of the matter/s to be discussed.

5.6.3 At any such Special Committee Meeting the business shall be confined to those items of which notice was given, unless the Chairperson allows otherwise.

5.7 At committee meetings, matters shall be decided by a simple majority of votes of committee members present. In the case of an equality of votes the Chairperson shall have a second or casting vote.

5.8 The quorum for any Committee meeting shall be four (4) members. If fewer than four members are present, the meeting shall be adjourned for one week. The quorum at the adjourned meeting shall be the number present at that meeting.

5.9 The Secretary shall ensure that minutes are kept of all committee, sub-committee and general meetings.

6 Annual and special general meetings

6.1 The Annual General Meeting shall be held once in each year, preferably not more than three months after the financial yearend and not later than fifteen months after the preceding Annual General Meeting.

6.1.1 At least twenty-one days' (21) notice of such meetings shall be given in writing to all members. This notice shall state the date, time and place of the meeting and the business to be transacted at the meeting.

6.1.2 Notices of general meetings shall be sent to members by email and shall be deemed to have been received if sent to the latest-email address supplied by the member and recorded in the membership records.

6.1.3 In exceptional circumstances, where it is not possible to hold an Annual General Meeting as prescribed in this constitution as a result of a decree by the South African government or other authority, an electronic Annual General Meeting (e-AGM) will be held. Notice of an e-AGM shall include the same documents and information as for normal Annual General Meetings.

6.2 The business of the Annual General Meeting shall include:

6.2.1 Adoption of the Minutes of the previous Annual General Meeting;

6.2.2Presentation and adoption of the Annual Report of the Chairperson;

6.2.3 Consideration and adoption of the Financial Statements of the preceding year;

6.2.4 Election of committee members for the forthcoming year;

6.2.5 Appointment of an Examiner of Accounts or Honorary Auditor;

6.2.6 Consideration of proposals to amend the constitution;

6.2.7 Consideration of any other matters as published in the agenda.

6.3 Special General Meetings

6.3.1 A special General Meeting of Plett u3a may be convened at any time by a Committee resolution, or upon written request stating the reason for the meeting and signed by at least ten percent (10%) of paid-up members.

6.3.2 A meeting held on such resolution or request shall be called by the Secretary after fourteen (14) days' notice.

6.3.3 At any such special meeting the business shall be confined to the items specified in the relevant notice.

6.3.4 The Chairperson of Plett u3a or failing him/her, the Vice Chairperson, shall chair any special general meeting at which he/she is present. In his/her absence the members shall elect a Chairperson for that meeting.

6.4 Voting and quorum

6.4.1 The vote of the majority of members present at the Annual and Special General Meetings shall prevail by show of hands unless a ballot is demanded.

6.4.2 All members have a single vote each.

6.4.3 Paid up members who are not able to attend the meeting in person may authorise the Chairperson in writing to vote on their behalf by proxy. Such proxy votes shall count towards the quorum for the meeting. The signed Proxy Form must be lodged with the Plett u3a Secretary at least twenty-four (24) hours before the scheduled commencement time of the meeting.

6.4.4 In the event of an equality of votes at the Annual General meeting or any (Special) General Meeting the Chairperson of the meeting shall have a second or casting vote.

6 4.5 For Annual and Special General Meetings there shall be a quorum when fifteen percent (15%) of paid-up members are present.

6.4.6 If, at the time that the meeting is due to commence, no quorum is present, the meeting shall be adjourned for one week, at the same time and place, at which time the members present shall constitute a quorum.

6.4.7 In the case of an electronic Annual General Meeting members will record their votes on special resolutions by email to be sent to the Secretary within a stipulated time period.

7 Finance

7.1 All the income and property of Plett u3a shall be applied solely towards the objectives of Plett u3a.

7.1.1 None of it should be paid, transferred or distributed directly or indirectly to any of its Committee or other Plett u3a members.

7.1.2 Costs or expenses for services rendered to Plett u3a shall be reimbursed on presentation of a receipt or other valid supporting financial document/s.

7.2 A bank account shall be maintained in the name of Plettenberg Bay u3a, with provision made for online banking (either via computer or mobile device).

7.2.1 Withdrawals shall be made on the signature of two committee members, one of whom shall be the Treasurer.

7.2.2 Both signatories shall have access to the online banking platform.

7.2.3 Payments via electronic transfer transactions (EFT) shall be made by either signatory when required.

7.2.4 The bank shall be required to notify both signatories of all payments to and from the account at the time that such transactions occur.

7.2.5 All unspent money shall be invested in a savings account in a registered financial institution as defined in Section 1 of the Financial Sector Regulation Act (Act 9 of 2017).

7.3 Plett u3a shall have the power to collect and accept donations and to raise money by bequest and otherwise. Any money raised and received may be retained by Plett u3a and be used at the discretion of the Committee. No form of permanent trading shall be undertaken in the raising of funds.

7.4 The financial year of Plett u3a shall end on the last day of December each year.

7.5 All proper costs, charges and expenses incidental to the management of Plett u3a shall be defrayed from its funds.

7.6 The Treasurer shall keep accounts of all moneys received and expended on behalf of Plett u3a and shall prepare and publish such accounts duly examined for approval at the Annual General Meeting. All monetary transactions shall be made by the Treasurer through properly authorised accounts in accordance with the directives of the Committee.

7.7 No committee member shall be liable or responsible for loss caused by anything or act done or omitted to be done by him/her, or by any agent employed by him/her, or by any other Committee member, provided that reasonable supervision be exercised over any such agent; or by reason of any mistake or omission made in good faith by any Committee member or by reason of any other matter or thing other than wilful and individual fraud or wrongdoing or wrongful omissions on the part of the Committee member who is sought to be made liable.

8 Property

8.1 All property of Plett u3a shall be vested in Trustees appointed for this purpose. Where the appointment of Trustees is inappropriate, such property shall be deemed to be held jointly by all Committee members in their capacity as representatives of the entire membership.

8.2 The Committee shall compile and maintain an Assets Register which shall reflect the nature of Plett u3a's assets, their value and location.

9 Powers of the committee

All matters not provided for in this constitution and not involving an amendment thereto, shall be dealt with by the Committee in accordance with the objectives of Plett u3a.

10 Amendment of the constitution

The provisions of this Constitution may be amended with the assent of not less than two-thirds of the members present and voting at any general meeting of Plett u3a after twenty-one (21) days' notice has been given, stating the intention to propose such a resolution.

11 Dissolution

11.1 Plett u3a may at any time be dissolved by a resolution passed by a three-quarters majority of members present and voting at any general meeting of Plett u3a of which at least twenty-one (21) days' notice stating the intention to put propose such a resolution.

11.2 On the dissolution of Plett u3a, and after settling all debts, liabilities and commitments, the remaining assets shall be distributed to:

a) Another entity approved by the Commissioner of the South African Revenue Service in terms of section 56 (1) (h) of the Income Tax Act No. 58 of 1962;

b) A public benefit organisation approved in terms of section 30 of the Income Tax Act;

c) An institution, board or body which is exempt from tax under section 10 (1) (cA) (i) of the Income Tax Act.

d) Preference should be given to another University of the Third Age in South Africa.

Signed and adopted 15 March 2023

Jan Hough

Chairman

Beth Hackland

Secretary