

Aughton & Ormskirk U3A

Constitution and Quorum Requirements

The quorum requirements in our original constitution (2004) stated that 20% of the membership had to be present to form a valid quorum. A decision was taken in 2007 to alter the constitution so that only 100 members were required to form a valid quorum. This was approved by the membership at the AGM but to meet the quorum requirements proxy votes were used.

Earlier this year advice was sought from the Charity Commissioners regarding the legality of this. Their advice was that as Proxy Voting wasn't mentioned in our 2004 constitution it could not be used, and that therefore all motions passed at subsequent AGMs where less than 20% of the membership was present, were invalid. Therefore the setting up of a separate body of Trustees as operated in the last 6 years was judged to be invalid.

To resolve this situation the Charity Commissioners have recommended that we roll back the situation to that when our original constitution (2004) was adopted and approved by them and that they would recognize the trustees at that point as the valid ruling body for A&O U3A. The valid trustees in 2004 were the Executive committee as elected at the 2004 AGM. They therefore are our legal administrative body & trustees at present.

To overcome the 20% quorum requirements the Charity Commissioners can grant an order to hold a Special General Meeting for which, on this occasion only, the members present will constitute a quorum. The only motion to be voted upon at this meeting is one to change the valid quorum from 20% of the members to 100 members for all future meetings. For this motion to be passed there needs to be a two thirds majority of the members present.

The 2004 Executive Committee has applied for this order and consequently a Special General Meeting will be held immediately before the 2014 AGM

The 2004 Executive Committee has asked the present 2013 Executive Committee to run the day to day administration of our U3A, and for its individual members to serve their remaining terms on the Executive Committee.

Adoption of a new constitution has been shelved for the time being. Therefore, the 2004 Constitution continues to apply.

Please make your voice heard and support your U3A by attending the Special General Meeting at Christ Church starting at 10:15 a.m. immediately followed by the AGM on May 8th. Your attendance and votes are integral to the success of your U3A.

The Executive Committee wishes to acknowledge the help and support of the Charity Commissioners for helping to resolve this situation.

Executive Committee 4th April 2014