

CONSTITUTION OF “THE MARYBOROUGH U3A INC”

Dated.....

1. Interpretation

1.1 In these rules: Act means the Associations Incorporation Act 1981. present

- a. At a management committee meeting, see rule 23(6) or
- b. At a general meeting, see rule 37(2)

1.2 A word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

2 Name

The name of the incorporated association is “The Maryborough U3A Incorporated.”

3 Mission and Vision

3.1 The Committee’s Vision

To create an Association in which there is no distinction, in terms of its membership, between those who teach and those who learn with all associates being active current members, and where all activity (where reasonable) is freely given by members of the Association to their fellows.

3.2 The Committee’s Mission is

To provide for people aged 50 or over in complete or partial retirement from paid employment or at home, programs of learning activities which will give stimulation and development of their lives.

4. Objectives

The objectives for which the association is established are:-

4.1 To provide for mature people in complete or partial retirement from paid employment or at home, programs of learning activities which will give stimulation and development to their lives.

4.2 To create an Association in which there is no distinction, in terms of its membership, between those who teach and those who learn, and where as much as possible of the activity is voluntary, freely given by members of the Association to their fellows.

4.3 To operate this Association in such a way that learning is pursued without any reference to entry criteria, qualifications, assessment, or awards.

4.4 To assist in dispelling the notion of intellectual decline with age, by making others aware of the intellectual, cultural and aesthetic potentialities of older adults.

4.5 To assist, where appropriate, investigations into the process of ageing in society and the condition of the elderly in our community.

4.6 To exchange ideas and resources with Universities of the Third Age, both in Australia and overseas.

4.7 To encourage the establishment of similar organisations in other parts of Australia.

5. Powers

5.1 The Association has the powers of an individual

5.2 The Association may, for example:-

- (a) enter into contracts
- (b) acquire, hold, deal with and dispose of property
- (c) make charges for services, and facilities it supplies
- (d) do other things necessary or convenient to be done in carrying out its affairs

5.3 The association may take over the funds and other assets and liabilities of another Incorporated Association of the U3A in the region if given the opportunity during a wind up.

6. Classes of Membership

6.1 The membership of the association consists of ordinary members and no other class of member

6.2 The number of members is unlimited

7. New Membership

7.1 An application for membership must be

- (a) In writing on a current membership application form accompanied by a current enrolment form for enrolment in the U3A classes as presented
- (b) The application must be signed by the applicant

8. Membership and class fees

8.1 The membership process for each ordinary membership is decided by the Management committee at the Annual General Meeting and from time to time if necessary at a general meeting.

- (a) The membership fee is payable when and in a manner determined by the Management Committee.
- (b) The amount of membership is decided by the Management Committee
- (c) The membership is not payable by Appointed Members or Honorary Life Members
- (d) Membership is payable by Tutors. If they only attend the class they tutor then they are given a discount of the amount of membership. Should they attend any other class

then full membership is payable. This is to ensure our tutors are counted in the insurance cover list and levies and network fees are paid to the U3A Network.

(e) Class fees can be determined from time to time by the Management Committee to take account of the rental, the number of class hours and if any supplies that need to be provided.

(f) There are currently 2 types of classes – standard and non-standard. Standard classes are charged on enrolment which can be yearly or half yearly. Non standard classes are generally not of a regular basis, monthly or seasonally or continue throughout the year. These are charged per class.

(g) Membership is required for participants of both standard and non-standard classes. This is required for insurance, copyright and levies which are paid by U3A to Network headquarters.

9. Termination of Membership.

9.1 A member can resign by giving written notice of resignation through the Secretary which will be tabled at the next committee meeting. The member will then be taken off the roll. No refunds of membership are made unless the committee decides to do so for compassionate reasons.

9.2 Membership can also be terminated by the committee:

(a) if member does not comply with any of the Code of Conduct which is available with the enrolment.

(b) if membership fees are in arrears for at least 2 months

(c) if a member conducts themselves in a way considered to be injurious or prejudicial to the character or the interests of the association

9.3 Before the management committee terminates a membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.

9.4 If after representation and consideration, the management committee determines to terminate or retain the membership, the secretary of the committee will be given a directive at a management committee meeting to provide a written notice of the decision and/or any conditions.

9.5 A member may appeal the decision of the Management Committee in writing for further consideration within 1 month of original decision.

9.6 Once the secretary receives a notice to appeal, the secretary must within 1 month after receiving the notice of intention to appeal, call a general meeting as soon as practical to hear the appeal from both points of view and vote on the decision.. Once decided by majority vote of the attendees,, the results need to be given in writing to the participant – no further correspondence will be entered into on this 2nd decision.

10 Register of Members

10.1 The management committee must keep a register of members of the association to be made available to all members of the committee when required.

10.2. The register must include the following particulars for each member

- (a) Full Name of the Member
- (b) Residential address and postal address or email of the member
- (c) The date of original admission as a member
- (d) The date of current year admission as a member
- (e) The date of death or cessation of membership
- (f) Emergency Contact List of member
- (g) Phone number of Member
- (h) List of Classes enrolled in for the current year
- (i) Or any other particulars that the Management Committee or the members

at a general meeting decide.

11 Access to information on the Members Register

11.1 The register must be open for inspection by Committee Members of the association at all reasonable times for personal details collected by enrolment. This is to assist each Committee Member to complete their tasks.

11.2 Due to privacy, the register is not open for general members or members of the public. Should information be required it must be with permission from the member themselves/Power of Attorney/Trustee or family member. Should information be required it must be requested in writing to the Secretary to be tabled at a committee meeting and responded to appropriately considering the purpose and necessary information required for the benefit of the member.

11.3 A member of the Management Committee or the registered members of U3A Maryborough must not:-

(a) use information obtained from the register of members of the association to contact, send material to advertise to, or send information to for political, religious, charitable or commercial purposes or disclose any other members personal information to anyone else (including businesses) else except for U3A business operations.

(b) Sub rule (a) does not apply if the use or disclosure of the information ~~is~~ is approved by the association.

12 Appointment and Election of Secretary

12.1 The secretary must be an individual residing in Queensland, and within 65 km of Maryborough. Qld.

(a) The secretary must be a member of the association and elected by the association as secretary

(b) The secretary must be any of the following persons appointed by the management committee as Secretary

- (i) A member of the associations management committee

- (ii) Another member of the Association
- (iii) another person as interim secretary if required

12.2 If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month after the vacancy happens

12.3 If the Management Committee appoints a person as in sub rule 12.1 (b)(iii) as secretary, who is not a member and is appointed to temporarily fill a casual vacancy on the management committee, the person does not become a member of the management committee, nor automatically becomes a member of the association.

12.4 If, however, the management committee appoints a person mentioned in sub rule 12.1 (b)(iii) as secretary to fill a casual vacancy on the management committee and is also a member, the person becomes a member of the management committee.

12.5 In this rule – casual vacancy on the management committee, means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

13 Removal of Secretary

13.1 The management committee of the association may at any time remove a person appointed by the committee as Secretary.

13.2 If the management committee removes a secretary who is a person mentioned in rule 12.1 (b)(i), the person remains a member of the management committee.

13.3 If the management committee removes a secretary who is a person mentioned in rule 12.1 (b)(ii), the person remains a member of the management committee.

14 Functions of Secretary

14.1 The Secretary's functions include but are not limited to

(a) Calling meetings of the association, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with the president of the association

(b) Keeping minutes of each meeting and

(c) Keeping copies of all correspondence and other documents relating to the association

15 Membership of management committee

15.1 The Management Committee of the association consists of :-

(a) President

(b) Secretary

(c) Treasurer

(d) and any other members of the association members elect at a general meeting or special general meeting.

15.2 A member of the management committee, other than a secretary appointed by the management committee under rule 12.1(b)(iii) must be a member of the association

15.3 At each annual general meeting of the association, the members of the management committee must retire from office, but are eligible, on nomination for re-election.

15.4 A member of the association may be appointed to a casual vacancy on the management committee until a permanent member is appointed.

15.5 A maximum of 2 family members may serve on the management committee at one time.

15.6 A management committee member, who holds office for a period of 3 consecutive 1 year terms (the maximum period) in any position of 10 years in the aggregate, is not eligible for election until the Annual General Meeting which follows the Annual General Meeting at which the maximum period was completed. ???

16 Electing the Management Committee

16.1 A member of the management committee may only be elected as follows:’

(a) Any 2 members of the association may nominate another member (candidate)

(b) The nomination must be:-

(i) In writing

(ii) Signed by the candidate and the members who nominated

(iii) Given to the Secretary prior to the annual general meeting where elections are being held

(c) Each member of the association present and eligible to vote at AGM may vote for 1 candidate for each vacant position

(d) If at the start of meeting there are not enough candidates nominated, nominations can be taken from the floor.

16.2 A person may be a candidate only if the person:-

(a) is an adult

(b) is not ineligible to be elected as a member under section 61A of the Act

16.3 A list of the candidates names nominated should be made available on request prior to AGM.

16.4 If required by the management committee, balloting lists must be prepared containing the names of the candidates.

16.5 The management committee must ensure that before a candidate is elected as a member of the management committee, the candidate is advised of the associations public liability insurance and amount of insurance.

17 Resignation, removal or vacation of office of management committee member

17.1 A member of the management committee may resign from the committee by giving written notice of resignation to the secretary. This notice needs to include:

- (a) The date the resignation takes effect
- (b) The date and time the notice is received by the Secretary
- (c) If resignation is deferred to later date – the date of the later resignation date.

17.2 A member of the Management Committee may be removed from office at a general meeting of the association.

- (a) If a majority of the members present and eligible to vote – vote in favour of removing the member
- (b) Before a vote is taken about removing a committee member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office
- (c) A removed member of the management committee has no right of appeal
- (d) The member voted out must immediately vacate the office of member in the circumstances mentioned in section 64(2) of the Act

17.3 Vacancies on management committee

(a) If a casual **vacancy** happens on the management committee, the continuing committee members may appoint another member of the association to fill the vacancy until the next AGM.

(b) The continuing members of the management committee may act despite a casual vacancy on the management committee

(c) However, if the number of committee members is less than the number fixed under rule 20.1 as a quorum of the management committee, the continuing members may act only to:-

- (i) increase the number of management committee members to the number required for the quorum or
- (ii) call a general meeting of the Association

18 Functions of the Management Committee

18.1 Subject to these rules or a resolution of the members of the association carried at a general meeting, the management committee has the general control and management of the administration of the affairs, property and funds of the Association

18.2 The management committee has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act. Note – The Act prevails if the associations rules are inconsistent with the Act. See section 1 B of the Act.

18.3 The management committee may exercise the powers of the association

(a) To borrow, raise or secure the payment of amounts in a way the members of the association decide and

(b) To secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the associations property, both present and future and

(c) To purchase, redeem or pay off any securities issued and

(d) To borrow amounts from members and pay interest on the amounts borrowed and

(e) To mortgage or charge the whole or part of its property and

(f) To issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association and

(g) To provide and pay off any securities issued and

(h) To invest in a way the members of the association may from time to time decide.

18.4 For sub-rule (18.3 (d)), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan by

(a) the financial institution for the association or

(b) if there is more than 1 financial institution for the association – the financial institution nominated by the management committee

19 Meetings of Management Committee

19.1 Subject to this rule, the management committee may meet and conduct its proceedings as it considers appropriate.

19.2 The Management committee must meet at least once every 4 months to exercise its functions.

19.3 The management committee must decide how a meeting is to be called

19.4 Notice of a meeting is to be given in the way decided by the Management Committee

19.5 The Management Committee may hold meetings or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

19.6 A committee member who participates in the meeting as mentioned in sub rule (19.5) is taken to be present at the meeting

19.7 A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting, and, if the votes are equal, the question is decided in the negative.

19.8 contract or proposed contract with the association if the member has an interest in the contract or proposed contract and, if the member does vote, the members vote must not be counted.

19.9 The president is to preside as chairperson at a management committee meeting.

19.10 If there is no president or if the president is not present within 10 minutes after the time fixed for a management committee ~~members~~, the members may choose 1 of their number to preside as chairperson at the meeting.

20 Quorum for, and adjournment of, management committee meeting.

20.1 At a management committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum

20.2 If there is no quorum within 30 minutes after the time fixed a management committee meeting called on the request of members of the committee, the meeting lapses.

20.3 If there is no quorum within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee

(a) the meeting is to be adjourned for at least 1 day

(b) the members of the management committee who are present are to decide the day, time and place of the adjourned meeting.

20.4 If, at an adjourned meeting mentioned in Sub rule 20.3 there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

21 Special Meeting of management committee

21.1 If the secretary receives a written request signed by at least 33% of the members of the management committee, the secretary must call a special meeting of the committee by giving each member of the committee notice of the meeting within 14 days after the Secretary receives a request.

21.2 If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

21.3 A request for a special meeting must state:-

(a) Why the special meeting is called and

(b) The business to be conducted at the meeting

21.4 A notice of a special meeting must state:-

(a) The day, time and place of the meeting and

(b) The business to be conducted at the meeting

21.5 A special meeting of the management committee must be held within 14 days after notice of the meeting is given to the members of the management committee.

22 Minutes of management committee meeting

22.1 The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting.

22.2 To ensure the accuracy of the minutes, the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.

23 Appointment of Sub-committees

23.1 The management committee may appoint a subcommittee consisting of members of the association considered appropriate by the committee to help with the conduct of the association's operations.

23.2 A member of the subcommittee who is not a member of the management committee is not entitled to vote at a management committee meeting.

23.3 A subcommittee may elect a chairperson of its meetings

23.4 If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.

23.5 A subcommittee may meet and adjourn as it considers appropriate

23.6 A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

24 Acts not affected by defects of disqualifications

24.1 An act performed by the management committee, a subcommittee or a person acting as a member of the management committee is taken to have been validly performed.

24.2 Sub-rule (24.1) applies even if the act was performed when:-

(a) there was a defect in the appointment of a member of the management committee, subcommittee or person acting as a member of the management committee or

(b) a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

25 Resolutions of management committee without meeting

25.1 A written resolution signed by each member of the management committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.

25.2 A resolution mentioned in sub-rule (25.1) may consist of several documents in like form, each signed by 1 or more members of the committee.

26 Annual General Meetings

26.1 The first annual general meeting must be held within 6 months after the end date of the associations first reportable financial year.

26.2 Subsequent annual general meetings must be held

- (a) at least once each year and
- (b) within 6 months after the end date of the associations reportable financial year.

27 Business to be conducted at Annual General Meeting of level 1 incorporated associations and particular level 2 and 3 incorporated associations.

27.1 This rule applies only if the association is:-

- (a) a level 1 incorporated association or
- (b) a level 2 incorporated association to which section 59 of the Act applies or
- (c) a level 3 incorporated association to which section 59 of the Act applies

27.2 The following business must be conducted at each Annual General Meeting of the association.

- (a) receiving the association's financial statement, and audit report for the last reportable financial year
- (b) presenting the financial statements and audit report to the meeting for adoption
- (c) electing members of the management committee
- (d) for a level 1 incorporated association – appointing an auditor or an accountant for the present financial year
- (e) for a level 2 or level 3 incorporated association, to which section 59 of the Act applies – appointing an auditor, an accountant or an approved person for the present financial year

28 Business to be conducted at Annual General Meeting of level 2 incorporated associations.

28.1 This rule applies only if the association is a level 2 incorporated association to which section 59A of the Act applies.

28.2 The following business must be conducted at each Annual General Meeting of the association:-

- (a) receiving the association's financial statement, and signed statement for the last reportable financial year
- (b) presenting the financial statements and signed statement to the meeting for adoption
- (c) electing members of the management committee
- (d) appointing an auditor or an accountant or approved person for the present financial year

29 Business to be conducted at Annual General Meeting of level 3 incorporated associations.

29.1 This rule applies only if the association is a level 3 incorporated association to which section 59B of the Act applies.

29.2 The following business must be conducted at each Annual General Meeting of the association:-

- (a) receiving the association's financial statement, and signed statement for the last reportable financial year
- (b) presenting the financial statements and signed statement to the meeting for adoption
- (c) electing members of the management committee

30 Notice of General Meeting

30.1 The secretary may call a general meeting of the association

30.2 The secretary must give at least 14 days notice of the meeting to each member of the association

30.3 If the secretary is unable or unwilling to call the meeting, the president must call the meeting.

30.4 The management committee may decide the way in which the notice must be given

30.5 However, notice of the following meetings must be given in writing

- (a) a meeting called to hear and decide the appeal of a person against the management committee's decision
- (b) a meeting called to terminate the person's membership of the association
- (c) a meeting called to hear and decide a proposed special resolution of the association

30.6 A notice of general meeting must state the business to be conducted at the meeting

31 Quorum for, and adjournment of, a general meeting

31.1 The quorum for a general meeting is at least the number of members elected or appointed to the management committee at the close of the associations last general meeting plus 1.

31.2 However, if all members of the association are members of the management committee, the quorum is the total number of members less 1.

31.3 No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.

31.4 If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee of the association, the meeting lapses.

31.5 If there is no quorum within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association

(a) the meeting is to be adjourned for at least 7 days and

(b) the management committee is to decide the day, time and place of the adjourned meeting.

31.6 The chairperson may, with the consent of any meeting at which there is a quorum, and must, if directed by the meeting, adjourn the meeting from time to time and from place to place.

31.7 If the meeting is adjourned under subrule 31.6, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

31.8 The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.

31.9 If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

32 Procedure at general meeting

32.1 A member may take part and vote in a general meeting in person, or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

32.2 A member who participates in a meeting as mentioned in subrule 32.1 is taken to be present at the meeting.

32.3 At each general meeting:-

(a) the president is to preside as chairperson: and

(b) if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the members present must elect 1 of their number to be chairperson of the meeting: and

(c) the chairperson must conduct the meeting in a proper and orderly way

33 Voting at a general meeting

33.1 At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present.

33.2 Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.

33.3 A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.

33.4 The method of voting is to be decided by the management committee

33.5 However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.

33.6 If a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides.

33.7 The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.

34 Special General Meeting

34.1 The secretary must call a special general meeting by giving each member of the association notice of the meeting with 14 days after:

(a) being directed to call the meeting by the management committee: or

(b) being given a written request signed by:

(i) at least 33% of the number of members of the management committee when the request is signed: or

(ii) at least the number of ordinary members of the association equal to double the number of members of the association on the management committee when the request is signed plus 1 or

(c) being given a written notice of an intention to appeal against the decision of the management committee

(i) to terminate a person's membership

34.2 A request mentioned in subrule 34.1b must state:-

(a) why the special general meeting is being called: and

(b) the business to be conducted at the meeting

34.3 A special general meeting must be held within 3 months after the secretary:-

(a) is directed to call the meeting by the management committee

(b) is given the written request mentioned in subrule 34.1(b) or

(c) is given written notice of an intention to appeal mentioned in subrule

34.1(c)

34.4 If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

35 Minutes of general meetings

35.1 The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings.

35.2 To ensure the accuracy of the minutes:-

(a) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy and

(b) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.

35.3 If asked by a member of the association, the secretary must, within 28 days after the request is made:=

(a) make the minutes for a particular general meeting be available for inspection by the member at a mutually agreed time and place and

(b) give the member copies of the minutes of the meeting

35.4 The association may require the member to pay the reasonable costs of providing copies of the minutes.

36 By-laws

36.1 The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.

36.2 A by-law may be set aside by vote of members at a general meeting of the association

37 Alteration of rules

37.1 Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting

37.2 However, an amendment, repeal or addition is valid only if it is registered by the chief executive

38 Funds and Accounts

38.1 The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee

38.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association

38.3 All amounts must be receipted on triple copy receipts and deposited in the financial institution account as soon as practicable after receipts. All receipts must have unique sequential alpha/numbers. One receipt is given to the payer, the second copy is attached to the members

application and enrolment form or filed and the other is kept in the receipt book. All cancelled receipts and copies (3 in total) must be retained in the receipt book and marked cancelled to ensure the sequence of alpha/numbers is maintained and recorded.

38.4 A payment by the association must be made by electronic funds transfer or by cheque. If a member is to be reimbursed for an expense this must be by electronic fund transfer on production of receipts.

38.5 All payments must be validated by at least 2 persons from the management committee. This can be done with electronic payment authorisation or cheque signature. The persons who have the authorisation to authorise or sign must be any two of the following:

- (a) The President
- (b) The Treasurer
- (c) The Secretary
- (d) The Vice President

38.6 If petty cash is required it must be recorded using an imprest system which tops up from the value of payments to an agreed figure which must be decided by the management committee. A balanced petty cash journal must be maintained and presented to the auditor each year. The petty cash tin must always add up to the imprest. Cash plus payments made = imprest amount.

38.7 When two members of one family serve on the management committee at one time, only one shall be an authorised signatory or authority on the account.

38.8 However, one of the persons who authorises payment or signs cheques must be the president, the secretary or treasurer.

38.9 Cheques, other than cheques for wages, allowances or petty cash recoupment must be crossed "not negotiable"

38.10 All expenditure must be approved or ratified at a management committee meeting.

39 General Financial Matters

39.1 On behalf of the management committee, the treasurer must, as soon as possible after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.

39.2 The income and property of the association must be used solely in promoting the association's objectives and exercising the association's power

40 Documents

40.1 The management committee must ensure the safe custody of books, documents, instruments or title and securities of the association.

41 Financial Year

41.1 The end date of the association's financial year is 31st December in each year.

42 Wind up and Dissolution of The U3A Maryborough Incorporation – Qld

42.1 Distribution of surplus assets to another entity. This rule applies if

- (a) the association is wound up under part 10 of the Act and
- (b) has surplus funds and/or assets and
- (c) has paid all of its debts

42.2 The surplus of assets must not be distributed among the members of the association in any circumstances or in any amount. This is prohibited under the ACT and to do this would be a criminal offence.

42.3 The priority for any surplus distribution must be given to a close regional U3A Incorporated entity or shared with several other regional U3A entities who

- (a) have similar objectives
- (b) have a growing membership
- (c) have good future prospects with dynamic leadership and
- (d) could offer some services to the U3A Maryborough Incorporated current and past members

42.4. Department of Fair Trades Queensland needs to be consulted to ensure the process of wind down is completed properly and audits completed.

42.5 U3A Network Brisbane is to be consulted to discuss the process with help on deciding and distributing to local Regional U3A Associations.

42.6 Decisions on who should receive the distribution of surplus lies with the current management committee and its members. If this no longer exists or no-one is available to complete the process then the U3A Network Brisbane can make the decision in the interest of the Maryborough Queensland to ensure funds go to a like-minded entity which services the Maryborough Qld people.

