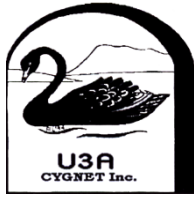


University of the Third Age, Cygnet Inc.



PO Box 216 Cygnet Tasmania 7112

Registered number 04016C

RULES OF THE ASSOCIATION

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1. Name of association

The name of the association is University of the Third Age, Cygnet Inc.

2. Interpretation

In these rules, unless the context otherwise requires –

- **accounting records** has the same meaning as in the Act
- **Act** means the *Associations Incorporation Act 1964*
- **AGM** means an annual general meeting
- **annual general meeting** means an annual general meeting of the Association held under rule 12
- **Association** means the association referred to in rule 1
- **association** has the same meaning as in the Act
- **auditor** means the person appointed as the auditor of the Association under rule 9
- **authorised deposit-taking institution** means a body corporate that is an authorised deposit-taking institution for the purposes of the Commonwealth *Banking Act 1959*
- **basic objects of the Association** means the objects and purposes of the Association as stated in an application under section 7 of the Act for the incorporation of the Association
- **chairperson** means the president specified in the model rules
- **committee** means the committee of management referred to in rule 22
- **document** means any record of information as defined in the *Evidence Act 2001*
- **financial year** has the same meaning as in the Act
- **general meeting** means an annual general meeting or a special general meeting
- **membership officer** means that member or members of the committee charged with managing membership applications, registration and related activities
- **model rules** means the model rules set out in the Act
- **notice** – A legal notification or warning that is delivered in a written format or through a formal announcement
- **officer of the Association** means a person appointed as an officer of the Association under rule 23
- **ordinary business of an annual general meeting** means the business specified in rule 12 (5)
- **special general meeting** means a meeting of the Association, other than an annual general meeting, convened under rule 13
- **special resolution** has the same meaning as in the Act

3. Association's office

The public officer's address is the official address of the Association for the service of legal documents on the Association.

4. Objects, purposes and principles of Association

1) Objects and purposes

- a) To organise and maintain a co-operative learning community for retired and semi-retired people on a non-profit basis in the state of Tasmania
- b) To encourage the pursuit of learning without reference to entry criteria, qualifications, assessments or awards
- c) To arrange for voluntary tutors and leaders

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- d) To exchange ideas with Universities of the Third Age both in Australia and overseas
- 2) The **principles** of the Association are:
 - a) To provide affordable learning opportunities for retired and semi-retired people, using the skills and abilities of the members themselves
 - b) Those who learn shall teach and those who teach shall learn, and there shall be no distinction between the two
 - c) There shall be no qualifications for membership, and no awards, degrees or diplomas shall be given
 - d) The emphasis shall be on learning for the love of it, and shall include an emphasis on the values of making things and improving skills of all kinds
 - e) Learning shall take place in a friendly, supportive, social environment
 - f) Those joining U3A Cygnet shall pay for its upkeep
 - g) 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
 - h) The curriculum of U3A Cygnet shall be determined by the needs or preferences of its members and according to the resources available to it
 - i) To be at all times non-political and non-sectarian in our approach
- 3) The Association will exercise the powers granted in section 4 of the Model Rules in order to carry out the Objects set out in rule 4 (1)

5. Membership of Association

- 1) A person who is approved for membership in accordance with this rule is eligible to be a member of the Association on payment of the annual subscription specified in rule 31.
- 2) [not required]
- 3) An application for membership is to be –
 - a) made in writing; and
 - b) [not required]
 - c) lodged with the membership officer of the Association.
- 4) [not required]
- 5) [not required]
- 6) As soon as practicable after the receipt of an application, the membership officer is to
 - a) notify the applicant, in writing, that the applicant has been approved for membership of the Association; and
 - b) on receipt of the amount payable by the applicant as the first annual subscription, enter the applicant's name in a register of members.
- 7) A member of the Association ceases to be a member when the member:
 - a) dies; or
 - b) resigns in writing addressed to the membership officer; or
 - c) fails to pay the annual subscription; or
 - d) fails to pay all arrears of subscription within fourteen days after receiving a notice in writing signed by the membership officer of the Association stating that the member has ceased to be a financial member of the Association; or
 - e) their membership is terminated under rule 33.
- 8) When subrule (7) applies, the public officer is to remove the name of the member from the register of members.

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- 9) A person –
 - a) becomes a member of the Association when his or her name is entered in the register of members; and
 - b) ceases to be a member of the Association when his or her name is removed from the register of members.
- 10) Any right, privilege or obligation of a person as a member of the Association –
 - a) is not capable of being transferred to another person; and
 - b) terminates on the cessation of the membership.
- 11) If the Association is wound up, each member of the Association, and each person who was a member of the Association within the period of twelve months immediately preceding the commencement of the winding-up, is liable to contribute –
 - a) to the assets of the Association for payment of the liabilities of the Association; and
 - b) for the costs, charges and expenses of the winding-up; and
 - c) for the adjustment of the rights of the contributors among themselves.
- 12) Any liability under subrule (11) is not to exceed the amount, if any, due and payable by the member to the Association as at the date on which the resolution to wind up the Association is passed.
- 13) Despite subrule (11), a former member of the Association is not liable to contribute under that subrule in respect of any liability of the Association incurred after he or she ceased to be a member.

6. Income and property of Association

- 1) The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.
- 2) No portion of the income or property of the Association is to be paid or transferred to any member of the Association unless the payment or transfer is made in accordance with this rule.
- 3) The Association may –
 - a) pay a servant or member of the Association –
 - i. remuneration in return for services rendered to the Association, or for goods supplied to the Association, in the ordinary course of business of the servant or member; or
 - ii. remuneration that constitutes a reimbursement for out-of-pocket expenses incurred by the servant or member for any of the objects or purposes of the Association; or
 - iii. interest at a rate not exceeding 7.25% on money lent to the Association by the servant or member; or
 - iv. a reasonable amount by way of rent for premises, or a part of premises, let to the Association by the servant or member; and
 - b) pay a member of the committee remuneration in return for carrying out the functions of a member of the committee; and
 - c) pay a member of a subcommittee remuneration in return for carrying out the functions of a member of the subcommittee; and
 - d) if so requested by or on behalf of any other association, organisation or body, appoint or nominate a member of the Association to an office in that other association, organisation or body.
- 4) Despite subrule (3)(a), (b) and (c), the Association is not to pay a person any amount under that subrule unless the Association or committee has first approved that payment.

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- 5) Despite subrule (3)(d), the Association is not to appoint or nominate a member of the Association under that subrule to an office in respect of which remuneration is payable unless the Association or committee has first approved
 - a) that appointment or nomination; and
 - b) the receipt of that remuneration by that member.

7. Accounts of receipts and expenditure

- 1) True accounts are to be kept of the following:
 - a) each receipt or payment of money by the Association and the matter in respect of which the money was received or paid;
 - b) each asset or liability of the Association.
- 2) The accounts are to be open to inspection by the members of the Association at any reasonable time, and in any reasonable manner, determined by the committee.
- 3) The treasurer of the Association is to keep all accounting books, and general records and records of receipts and payments, connected with the business of the Association in the electronic or hardcopy form and manner the committee determines.
- 4) The accounts, books and records are to be kept at the Association's office or at any other place the committee determines.

8. Banking and finance

- 1) On behalf of the Association, the treasurer of the Association is to –
 - a) receive any money paid to the Association; and
 - b) immediately after receiving the money, issue an official receipt in respect of the money, except where the committee has authorised, in the Association's Delegations Policy, that no receipt is necessary; and
 - c) cause the money to be paid into the account opened under subrule (2) as soon as practicable after it is received.
- 2) The committee is to open with an authorised deposit-taking institution an account in the name of the Association.
- 3) The committee may –
 - a) receive from an authorised deposit-taking institution a cheque or electronic funds transfer drawn by the Association on any of the Association's accounts with the authorised deposit-taking institution; and
 - b) release or indemnify the authorised deposit-taking institution from or against any claim, or action or other proceeding, arising directly or indirectly out of the drawing of that cheque or electronic funds transfer.
- 4) Except with the authority of the committee, a payment of an amount specified in the Association's Delegations Policy is not to be made from the funds of the Association otherwise than by cheque or electronic funds transfer drawn on the Association's account.
- 5) The committee may provide the treasurer with an amount of money to meet urgent expenditure, subject to any conditions the committee may impose in relation to the expenditure.
- 6) A cheque or electronic funds transfer is not to be drawn on the Association's account except for the purpose of making a payment that has been authorised by the committee.
- 7) A cheque, draft, bill of exchange, promissory note or electronic funds transfer or other negotiable instrument is to be signed, or initiated and approved electronically, by any two members of the committee the committee nominates for that purpose.

9. Auditor

- 1) At each annual general meeting, the members of the Association present at the meeting are to appoint a person as the auditor of the Association.
- 2) If an auditor is not appointed at an annual general meeting under subrule (1), the committee is to appoint a person as the auditor of the Association as soon as practicable after that annual general meeting.
- 3) The auditor is to hold office until the next annual general meeting and is eligible for re-appointment.
- 4) The first auditor –
 - a) may be appointed by the committee before the first annual general meeting; and
 - b) if so appointed, holds office until the first annual general meeting unless earlier removed by a resolution of the members of the Association at a general meeting.
- 5) If the first auditor is appointed by the committee under subrule (4)(a) and subsequently removed at a general meeting under subrule (4)(b), the members of the Association, at that general meeting, may appoint an auditor to hold office until the first annual general meeting.
- 6) Except as provided in subrule (4)(b), the auditor may only be removed from office by special resolution.
- 7) If a casual vacancy occurs in the office of auditor, the committee is to appoint a person to fill the vacancy until the next annual general meeting.

10. Audit of accounts

- 1) The auditor is to audit the financial affairs of the Association at least once in that financial year.
- 2) The auditor, after auditing the financial affairs of the Association for a particular financial year of the Association, is to –
 - a) certify as to the correctness of the accounts of the Association; and
 - b) at the next annual general meeting, provide a written report to the members of the Association present at that meeting.
- 3) In the report and in certifying to the accounts, the auditor is to –
 - a) specify the information, if any, that he or she has required under subrule (5)(b) and obtained; and
 - b) state whether, in his or her opinion, the accounts exhibit a true and correct view of the financial position of the Association according to the information at his or her disposal; and
 - c) state whether the rules relating to the administration of the funds of the Association have been observed.
- 4) The treasurer or public officer of the Association is to deliver to the auditor a list of all the accounting records, books and accounts of the Association.
- 5) The auditor may –
 - a) have access to the accounting records, books and accounts of the Association; and
 - b) require from any servant of the Association any information the auditor considers necessary for the performance of his or her duties; and
 - c) employ any person to assist in auditing the financial affairs of the Association; and
 - d) examine any member of the committee, or any servant of the Association, in relation to the accounting records, books and accounts of the Association.

11. Auditing exemptions

- 1) For any financial year that the Association is exempt from the requirement to be audited by virtue of section 24(1B) [exempted by the Commissioner for Corporate Affairs] or (1C) [annual turnover less than \$250,000] of the Act –
 - a) an auditor is not required to be appointed for that financial year under rule 9 unless the Association elects to have the financial affairs of the Association for that financial year audited in accordance with the Act and these rules; and
 - b) if an auditor is not appointed for a financial year by virtue of paragraph (a) –
 - I. rules 9 and 10 do not apply in respect of the Association for that financial year
 - II. rule 12(5)(b), to the extent that it relates to an auditor, does not apply in respect of the annual general meeting held by the Association in respect of that financial year
 - III. rule 12(5)(d) does not apply in respect of the annual general meeting held by the Association in respect of that financial year.
- 2) For any financial year that the Association is exempt from the requirement to provide an annual return by virtue of section 24B(1B) of the Act [registered charities], the committee must provide, as part of the ordinary business of the annual general meeting for that financial year, a copy of the annual financial report given under the Australian Charities and Not-for-profits Commission Act 2012 of the Commonwealth in respect of that financial year.

12. Annual general meeting

- 1) The Association is to hold an annual general meeting of members each year. Only members may attend the meeting however the committee may invite non-members to attend from time to time.
- 2) An annual general meeting is to be held on any day (being not later than five months after the end of the financial year of the Association) the committee determines.
- 3) An annual general meeting is to be in addition to any other general meeting that may be held in the same year.
- 4) The notice convening an annual general meeting is to specify the purpose of the meeting.
- 5) The ordinary business of an annual general meeting is to be as follows:
 - a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - b) to receive from the committee, auditor and servants of the Association reports on the transactions of the Association during the last preceding financial year of the Association;
 - c) to elect committee members;
 - d) to appoint the auditor;
 - e) to determine the remuneration of any servants of the Association.
- 6) An annual general meeting may transact special business of which notice is given in accordance with rule 14.

13. Special general meetings

- 1) The committee may convene a special general meeting of the Association members at any time. Only members may attend the meeting however the committee may invite non-members to attend from time to time.
- 2) The committee, on the requisition in writing of at least ten members of the Association, is to convene a special general meeting of the Association.

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- 3) A requisition for a special general meeting –
 - a) is to state the objects of the meeting; and
 - b) is to be signed by each of the requisitionists; and
 - c) is to be lodged with the public officer; and
 - d) may consist of several electronic or hardcopy documents, each signed by one or more of the requisitionists.
- 4) If the committee does not cause a special general meeting to be held within 21 days after the day on which a requisition is lodged, any one or more of the requisitionists may convene the meeting within three months after the day of the deposit of the requisition.
- 5) A special general meeting convened by requisitionists is to be convened in the same manner, as nearly as practicable, as the manner in which a special general meeting would be convened by the committee.
- 6) All reasonable expenses incurred by requisitionists in convening a special general meeting are to be refunded by the Association.

14. Notices of general meetings

At least 21 days before the day on which a general meeting of the Association is to be held, the public officer of the Association is to issue a notice to all members specifying –

- a) the place, day and time at which the meeting is to be held; and
- b) the nature of the business that is to be transacted at the meeting.

15. Business and quorum at general meetings

- 1) All business transacted at a general meeting, other than the ordinary business of an annual general meeting, is special business.
- 2) Business is not to be transacted at a general meeting unless a quorum of members of the Association entitled to vote is present at the time the meeting considers that business.
- 3) A quorum for the transaction of the business of a general meeting is ten members of the Association entitled to vote.
- 4) If a quorum is not present within half an hour after the time appointed for the commencement of a general meeting, the meeting –
 - a) if convened on the requisition of members of the Association, is dissolved; or
 - b) if convened by the committee, is to be adjourned
 - i. to the same day in the next week at the same time and place; or
 - ii. at any other day, time and place specified by the chairperson –
 - a. at the time of the adjournment; or
 - b. by notice in a manner determined by the chairperson.
- 5) If at an adjourned general meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the meeting is dissolved.

16. Chairperson at general meetings

At each general meeting of the Association, the chairperson is to be –

- 1) the chairperson of the committee; or
- 2) in the absence of the chairperson of the committee, a member of the Association elected by those committee members present; or
- 3) in the absence of any members of the committee, a member of the Association elected to preside as chairperson by the members of the Association present and entitled to vote at the general meeting.

17. Adjournment of general meetings

- 1) The chairperson of a general meeting at which a quorum is present may adjourn the meeting with the consent of the members of the Association who are present and entitled to vote at the meeting, 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 meeting is adjourned for 21 days or more, notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.
- 3) If a meeting is adjourned for less than 21 days, it is not necessary to give any notice of the adjournment or of the business to be transacted at the adjourned meeting.

18. Determination of questions arising at general meetings

- 1) Except if specified elsewhere in these rules, a question arising at a general meeting of the Association is to be determined on a show of hands.
- 2) A declaration by the chairperson that a resolution has, on a show of hands, been lost or carried, or carried unanimously or carried by a particular majority, together with an entry to that effect in the minute book of the Association, is evidence of that fact unless a poll is demanded on or before that declaration.

19. Votes

- 1) On any question arising at a general meeting of the Association, a member of the Association (including the chairperson) has one vote only.
- 2) All votes are to be given personally.
- 3) Despite subrule (1), in the case of an equality of votes, the chairperson has a second or casting vote.

20. Taking of poll

- If at a general meeting a poll on any question is demanded –
- a) the poll is to be taken at that meeting in the manner the chairperson determines; and
 - b) the result of the poll is taken to be the resolution of the meeting on that question.

21. When poll to be taken

- 1) A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.
- 2) A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the chairperson determines.

22. Affairs of Association to be managed by a committee

- 1) The affairs of the Association are to be managed by a committee of management constituted as provided in rule 24.
- 2) The committee –
 - a) is to control and manage the business and affairs of the Association; and
 - b) may exercise all the powers and perform all the functions of the Association, other than those powers and functions that are required by these rules to be exercised and performed by members of the Association at a general meeting; and
 - c) has power to do anything that appears to the committee to be essential for the

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proper management of the business and affairs of the Association.

23. Officers of the Association

- 1) The committee shall appoint from amongst its members a chairperson, secretary, and treasurer.
- 2) The committee shall appoint one of these officers, or another committee member, as public officer.
- 3) The committee may appoint other office bearers as necessary from time to time.
- 4) Except for the legally required duties of the public officer, the committee may define and vary the duties of all officers as circumstances demand.
- 5) Officers hold office until the first committee meeting after the next AGM, or until they vacate office under rule 25.

24. Constitution of the committee

- 1) The committee consists of not less than six and not more than ten members including office bearers
- 2) Committee members shall be elected by an AGM to serve for no longer than three years, but may then nominate for re-election.
- 3) The committee may co-opt Association members to fill any vacancies on the committee. Co-opted members serve until the next AGM.

25. Election of committee

- 1) A nomination of a candidate for election as a committee member, is to be –
 - a) made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the nomination); and
 - b) delivered in hardcopy or electronically to the public officer of the Association at least ten days before the day on which the annual general meeting is to be held.
 - c) the public officer is to notify all members of the names of those nominated, at least five days before the AGM.
- 2) At least two committee positions shall be available for election at each AGM. Should there be less than this minimum number re-nominating at the end of their three year terms, the longest serving members who have not yet completed a full three-year term will in turn be selected for nomination until the required number is reached.
- 3) All nominees shall be voted on by an AGM, even if the number of nominations is less than or equal to the number of vacancies.
- 4) Voting for committee members will be by secret ballot.

26. Vacation of office

- 1) For the purpose of these rules, the office of a committee member becomes casually vacant if the committee member –
 - a) dies; or
 - b) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration or estate for their benefit; or
 - c) becomes a represented person within the meaning of the *Guardianship and Administration Act 1995*; or
 - d) resigns office in writing addressed to the committee; or
 - e) ceases to be ordinarily resident in Tasmania; or

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- f) is absent from three consecutive meetings of the committee without the permission of the other members of the committee; or
- g) ceases to be a member of the Association; or
- h) fails to pay all arrears of subscription within fourteen days after receiving a notice in writing signed by the public officer of the Association stating that the committee member has ceased to be a financial member of the Association.

27. Meetings of the committee

- 1) The committee is to meet at least six times a year at any place and time the committee determines.
- 2) A meeting of the committee, other than a meeting referred to in subrule (1), may be convened by the chairperson or any four of the members of the committee.
- 3) Written notice of any committee meeting is to be served in hardcopy or electronically on members of the committee at least three days before the meeting, and is to specify the general nature of the business to be transacted. However, committee meetings may be held within less notice, provided a majority of committee members agree to the arrangements.
- 4) [not required]
- 5) A quorum for the transaction of the business of a meeting of the committee is four members of the committee.
- 6) Business is not to be transacted at a meeting of the committee unless a quorum is present.
- 7) If a quorum is not present within half an hour after the time appointed for the commencement of a meeting of the committee the meeting is to be adjourned to a date, time and place to be notified.
- 8) At each meeting of the committee, the chairperson is to be –
 - a) the chairperson; or
 - b) in the absence of the chairperson, a member of the committee elected to preside as chairperson by the members of the committee present at the meeting.
- 9) Any question arising at a meeting of the committee is to be determined –
 - a) on a show of hands; or
 - b) if demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.
- 10) On any question arising at a meeting of the committee, a member of the committee (including the chairperson) has one vote only.
- 11) Despite subrule (10), in the case of an equality of votes, the chairperson has a second or casting vote.
- 12) Written notice of each committee meeting is to be served on each member of the committee as set out in rule 31.
- 13) The committee may from time to time agree to meet electronically, or may agree for individual members to attend meetings electronically. All required documentation and records must be kept as for a non-electronic meeting.

28. Disclosure of interests

- 1) If a member of the committee or a member of a subcommittee has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the committee or subcommittee at a meeting, the member is to, as soon as practicable after the relevant facts come to the member's knowledge, disclose the nature of the interest to the committee.

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- 2) If at a meeting of the committee or a subcommittee a member of the committee or subcommittee votes in respect of any matter in which the member has a direct or indirect pecuniary interest, that vote is not to be counted.

29. Subcommittees and Coordinators

- 1) The committee may –
 - a) appoint a subcommittee from the committee; and
 - b) prescribe the powers and functions of that subcommittee
 - c) approve the appointment of a chairperson and / or convenor for the subcommittee, nominated by the subcommittee or by the committee.
- 2) The committee may co-opt any person as a member of a subcommittee without voting rights, whether or not the person is a member of the Association.
- 3) A quorum for the transaction of the business of a meeting of the subcommittee is three appointed members entitled to vote.
- 4) [not required]
- 5) Any question arising at a meeting of a subcommittee is to be determined –
 - a) on a show of hands; or
 - b) if demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.
- 6) On any question arising at a meeting of a subcommittee, a member of the subcommittee (including the chairperson) has one vote only.
- 7) Written notice of each subcommittee meeting is to be served on each member of the subcommittee as set out in rule 0.
- 8) The committee may appoint coordinators for specific programs or events as necessary. Coordinators do not have to be committee members but in that case a committee member or members must be appointed as the Coordinator's main contact with the committee.

30. Executive committee

- 1) The chairperson, the treasurer and the secretary constitute the executive committee.
- 2) During the period between meetings of the committee, the executive committee may undertake business in matters of urgency connected with the management of the affairs of the Association.
- 3) The executive committee is to report on any business transacted under subrule (2) to the next meeting of the committee.

31. Annual subscription

- 1) The committee shall decide the annual subscription rate and methodology for the following financial year. If the altered annual rate exceeds the then current rate by more than 20% the change must be approved by a General Meeting at least three weeks before the start of the next financial year.
- 2) The committee may if necessary alter the subscription rate and methodology during the year. If the altered annual rate exceeds the then current rate by more than 20% the change must be first approved by a General Meeting.

32. Service of notices and requisitions

Except as otherwise provided by these rules, a document may be served under these rules on a person by –

- a) giving it to the person; or
- b) leaving it at, or sending it by post to, the person's postal or residential address or place or address of business or employment last known to the server of the document; or
- c) faxing it to the person's fax number; or
- d) emailing it to the person's email address; or
- e) by using whatever methods the committee normally uses to communicate in writing with members.

33. Expulsion of members

- 1) The committee may expel a member from the Association if, in the opinion of the committee, the member is guilty of conduct detrimental to the interests of the Association.
- 2) The expulsion of a member under subrule (1) does not take effect until the later of the following:
 - a) the fourteenth day after the day on which a notice is served on the member under subrule (3);
 - b) if the member exercises his or her right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.
- 3) If the committee expels a member from the Association, the public officer of the Association, without undue delay, is to cause to be served on the member a notice in writing –
 - a) stating that the committee has expelled the member; and
 - b) specifying the grounds for the expulsion; and
 - c) informing the member of the right to appeal against the expulsion under rule 33.

34. Appeal against expulsion

- 1) A member may appeal against an expulsion under rule 33 by serving on the public officer of the Association, within fourteen days after the service of a notice under rule 33(3), a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal.
- 2) On receipt of a requisition, the public officer is to immediately notify the committee of the receipt.
- 3) The committee is to cause a special general meeting to be held within 21 days after the day on which the requisition is received.
- 4) At a special general meeting convened for the purpose of hearing an appeal under this rule –
 - a) no business other than the question of the expulsion is to be transacted; and
 - b) the committee may place before the meeting details of the grounds of the expulsion and the committee's reasons for the expulsion; and
 - c) the expelled member must be given an opportunity to be heard; and
 - d) the members of the Association who are present are to vote by secret ballot on the question of whether the expulsion should be lifted or confirmed.
- 5) If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion –
 - a) the expulsion is lifted; and
 - b) the expelled member is entitled to continue as a member of the Association.

- 6) If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion –
 - a) the expulsion takes effect; and
 - b) the expelled member ceases to be a member of the Association.

35. Disputes

- 1) A dispute between a member of the Association, in the capacity as a member, and the Association is to be determined by arbitration in accordance with the provisions of the *Commercial Arbitration Act 1986*.
- 2) This rule does not affect the operation of rule 34.

36. Seal of Association

- 1) The seal of the Association is to be in the form of a rubber stamp inscribed with the name of the Association encircling the word *Seal*.
- 2) The seal is not to be affixed to any instrument except by the authority of the committee.
- 3) The affixing of the seal is to be attested by the signatures of –
 - a) two members of the committee; or
 - b) one member of the committee and the public officer of the Association or any other person the committee may appoint for that purpose.
- 1) If a sealed instrument has been attested under subrule (3), it is presumed, unless the contrary is shown, that the seal was affixed to that instrument by the authority of the committee.
- 2) The seal is to remain in the custody of the public officer of the Association.

Appendix 1: Explanatory notes

These explanatory notes are not part of the Association's Rules.

- We have kept the numbering as far as possible identical to the **model rules**. Wherever we use the phrase 'not required', we wish specifically to exclude certain sections of the equivalent section of the **model rules**.
- Rule 4(2) – Principles is not in the model rules or our 2008 rules. The principles are not the same as the objects. These principles are based closely on those of the founder of the U3A movement. They have been adopted and strongly supported by most Tasmanian U3A groups.
- Rule 5 – the model rules require membership applicants to be nominated by 2 members, then approved by the committee. This is too cumbersome for our needs.
- Rule 11 - As from Oct 2016 audited accounts are no longer required if revenue in any year is less than \$250,000. Apart from rule number references, and explanatory information within square brackets, this wording is identical to that of the model rules, and allows us to decide at each AGM which option we select. It also covers us in future should we adopt charity status.
- Rule 12(1) and Rule 13(1) – Non-members not to attend general meetings unless invited by the committee. General meetings are private meetings, not public, and non-members should only be allowed to attend if the committee decides.
- Rule 12(5)(c) and rule 23 – The model rules and our 2008 rules say the AGM elects the committee and office bearers, but we strongly prefer the increasingly common practice of the AGM electing the committee, and the committee appointing the officers.
- Rule 24(2) and 25(2) – we prefer a rolling three-year term of office for committee members, with at least two committee positions available for election at each AGM, to provide managed continuity and the managed opportunity for fresh faces.
- Rule 25 - we have omitted accepting committee nominations from the floor at an AGM, as this does not allow time for members to vote with full prior knowledge of all candidates.
- Rule 25(3) - we prefer that all positions are voted on, even if uncontested. The model rules and our 2008 rules allow for election without a ballot if a position is uncontested, but this does not allow members to indicate support or otherwise for all nominees.
- Secret ballot. Rule 25(4) is not in the model rules, but is in our 2008 rules and is common practice. Without this clause voting in elections would be primarily by show of hands (see Rule 18) which can lead to members being reluctant to vote publicly.
- Coordinators - Rule 29(8) is not in the model rules or our 2008 rules. It allows the committee to share their workload, and allows association members to participate more without having to accept full committee membership.
- Rule 31 - the model rules and our 2008 rules require general meeting approval of even the smallest change in subscriptions. The proposed 20% limit on increases covers routine administrative cost increases without requiring general meeting approval.
- We have added phrases like 'hardcopy and electronic' throughout to allow us to operate as electronically as possible.

These explanatory notes are not part of the Association's Rules.

Appendix 2: Document control

This document control information is not part of the Association's Rules.

Version number or date	Reason for amendment
(March?) 2008	Original version prior to 17 November 2016 revision
17 November 2016	Rules substantially revised to incorporate the October 2016 version of the model rules , and expanded to include all sections of the model rules . Approved by special resolution at Special General Meeting 17 November 2016.
23 March 2018	<ul style="list-style-type: none">• New Rule 11 (Exemptions to audit requirements) inserted• all subsequent rules renumbered, all cross references throughout renumbered• Rule 2 Interpretations – model rules – deleted reference to schedule 1 of the Act as no longer applicable• Rule 12(2) deadline for AGM changed from 3 to 5 months. Approved by special resolution at Annual General Meeting 23 March 2018

This document control information is not part of the Association's Rules.