

Gateshead Older People's Assembly

Constitution

Adopted on the 24th September 2007

1. Name

The name of the organisation is **Gateshead Older People's Assembly** (herein after called 'The Assembly')

2. Aims

The Aims of The Assembly being;

- a) To listen to and represent the views of older people in Gateshead.
- b) To be a source of information for older people in Gateshead.
- c) To improved the quality of life of for older people in the community and in care.

3. Objectives

The Assembly's Objectives

- a) To promote the relief of older people in Gateshead (the area of benefit) by such charitable means calculated to relieve their needs.

4. Powers

In the furtherance of the objectives, but not otherwise, the Management Committee may exercise the following powers;

- a) Power to provide support and information to older people in Gateshead.
- b) Power to represent older people views and speak on their behalf.
- c) Power to promote the concerns and issues that affect older people.
- d) Power to raise funds and invite and receive contributions, provided that in raising the funds the Management Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the Law.
- e) Power to buy, take on a lease or in exchange of property necessary for the achievement of the objectives and to maintain and equip it for use.

- f) Power subject to any consent requires by Law to sell, lease or dispose of all or any part of the property of the Charity.
- g) Power to employ such staff (who shall not be members of the Management Committee) as are necessary for the proper pursuit of the objectives.
- h) Power to co-operate with the charities, voluntary bodies and statutory authorities operating in the furtherance of the objectives or of similar charitable purposes and to exchange information with them.
- i) Power to establish or support any charitable trust, associations or institutions formed for all or any of the objectives.
- j) Power to appoint or constitute such advisory committees as the Management Committee may think fit.
- k) Power to insure to Management Committee against personal liability.
- l) Powers to do all such things as are necessary for the achievement of the objects.

5. Membership

- a) Membership of The Assembly shall be open to all older people resident in Gateshead over the age of 50 years.
- b) Every member shall have one vote.
- c) The Management Committee may by unanimous vote and for good reason terminate the membership of any individual: provided the individual concerned shall have the right to be heard by the Management Committee, accompanied by a friend or representative, before the final decision is made.

6. Officers of the Management Committee

At the annual General Meeting of The Assembly, the members shall elect from among themselves nominated members. Committee members will at the next Management Meeting elect from themselves a Chairperson, Vice-Chairperson, Secretary and Treasurer, who shall hold office from conclusion of the office for three years. If an officer wishes to stand down before the end of their term of office, they may do so. In the event of a casual vacancy occurring for an officer such vacancy shall be filled by Ballot within the Management Committee in the respect of such vacancy. Any person filling a casual vacancy shall hold office until the following Annual General Meeting.

7. Management Committee

1. The Management Committee shall consist of not less than 6 members nor more than 15 members being:
 - a) The officers specified in the proceeding clause.
 - b) Not less than 4 and not more than 11 members elected at the Annual General Meeting who shall hold the office from conclusion of that meeting for three years.
 - c) The Management Committee may in addition appoint not more than 6 co-opted members but no one may be appointed as a co-opted member if, as a result, more than one third of the members of the Management Committee would be co-opted members. Each appointment of a co-opted member shall be made at a meeting of the Management Committee and shall take effect from the conclusion of that meeting unless the appointment was made to fill a casual vacancy in which case the appointment shall run from the date of the vacancy occurred until the next Annual General Meeting.
 - d) All members of the Management Committee shall retire at the end of the Annual General Meeting which marks the end of their term of office, any member having served two terms of office shall not be eligible to serve again on the Management Committee in that capacity for fifty weeks following the end of their last term in office, only if no other members are interested in the office the member may be re-elected or re-appointed.
 - e) The proceedings of the Management Committee shall not be invalidated by any vacancy among their numbers or by any failure to appoint or defect in the appointment or qualification of a member.
 - f) Nobody shall be appointed to the Management Committee who is under the age of 50 years or who would if appointed be disqualified under the provisions of the following clause.
 - g) No person shall be entitled to act as a member of the Management Committee whether on a first or any subsequent entry into office until after signing a declaration of acceptance and willingness to act in the trust of the Charity.

8. Determination of the Membership of the Management Committee

A member of the Management Committee shall cease to hold office if he / she:

- 1) Is disqualified from acting as a member of the Management Committee by virtue of section (45/72) (or any statutory re-enactment or modification of that provision)

9. Meeting and Proceedings of the Management Committee

- 1) The Management Committee shall hold at least 2 ordinary meetings each year. A special meeting may be called at any time by the Chairperson or by any 3 members of the Management Committee upon not less than 5 days notice being given to the other members of the Management Committee of the matters to be discussed. If the matter included an appointment of a co-opted member than not less than 21 days notice must be given.
- 2) The Chairperson shall chair the meetings of the Management Committee. If the Chairperson is absent for the meeting, the Vice-Chairperson shall chair the meeting. If both the Chairperson and the Vice-person are absent the members of the Management Committee present shall choose one of their members to chair the meeting before any business is transacted.
- 3) There shall be a quorum when at least one third of the number of the Management Committee (which is greater are present at the meeting)
- 4) Every matter shall be determined by a majority of votes of the members of the Management Committee present and voting on the question, in the case of equality of votes the Chairperson shall have a second or casting vote.
- 5) The Management Committee shall keep minutes, in books kept for the purpose of the proceedings at the management Committee and any Sub-committee.
- 6) The Management Committee may at time to time make or alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with the constitution.
- 7) The Management Committee may appoint one or more Sub-Committee consisting of 3 or more members of the Management Committee for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Management Committee would be more conveniently undertaken or carried out by a Sub-Committee; provided that all acts and proceedings of any Sub-committee shall be fully and promptly reported to the Management Committee.

10. Receipts and Expenditure

- 1) The funds of the Charity, including all donations, contributions and bequests, shall be paid into an account operated by the Management Committee in the name of the Charity at such a bank as the Management Committee decides. All cheques drawn on the account must be signed by at least 2 out of 4 members of

the Management Committee of which one will be either the Treasurer of the Chairperson.

- 2) The funds belonging to the Charity shall be applied only in furthering the objectives.

11. Accounts

The Management Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification Act) with regards to:

- 1) The keeping of accounting records for the Charity.
- 2) The preparation of Annual Statements of accounting for the Charity.
- 3) The auditing or independent examination of the statement of accounting of the Charity.
- 4) The transmission of the statements of accounting of the charity to the Commission.

12. Annual Report

The management Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of the Act) with the preparation of an Annual Return and its transmissions to the Commission.

13. Annual Return

- 1) There shall be an annual General Meeting of the Charity, which shall be held not more than 15 months but not more than 9 months from the date of the last Annual General Meeting.

14. Annual General Meeting

- 1) There shall be an Annual General Meeting of the Charity, which shall be held not more than 15 months but no more than 9 months from the date of the last Annual General Meeting.
- 2) The Management Committee shall call every Annual General Meeting. The Secretary shall give at least 21 days notice of the Annual General Meeting to all members of the charity. All members of the Charity shall be entitled to attend and vote at this meeting.
- 3) The Management Committee shall present to each Annual General Meeting the report and Accounts of the Charity for the proceeding year.
- 4) Nominations for election to the Management Committee must be made in writing and be in the hands of the Secretary of the Charity at least 14 days before the Annual

General Meeting. All members of the Charity shall have the right to nominate. Should nominations exceed vacancies, elections shall be by ballot.

15. Special General Meetings

The Management Committee may call a special General Meeting of the Charity at any time. If at least 10 members request such a meeting in writing stating the business to be considered, the secretary shall call the meeting. At least 21 days notice must be given. The notice must state the business to be discussed.

16. Procedure at General Meetings.

- 1) The Secretary or other person specially appointed by the Management Committee shall keep full records of the proceedings at every General Meeting of the Charity.
- 2) There shall be a quorum when at least one third of the number of members or ten members of the Charity whichever is greater are present at the General Meeting.

17. Notice

Any notice to be served on any member of the Charity shall be in writing and shall be served by the secretary or the Management Committee on any member either personally or by sending it through the post in a prepaid letter addressed to such members at his or her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 10 days of posting.

18. Alterations of the Constitution

- 1) Subject to the following provisions of this clause the constitution may be altered by a special resolution passed by not less than two thirds of the members present and voting at a General Meeting. The notice of the General Meeting must include notice of the resolution, setting out the alteration proposed.
- 2) No amendment may be made to clause 1 (the name of the Charity), clause 3 (the objectives), clause 19 (the dissolution) or this clause without prior consent in writing of the Commissioners.
- 3) No amendment may be made which would have the effect of making the Charity cease to be a charity at Law.
- 4) The Management Committee should promptly send to the Commission a copy of any amendment made under this clause.

19. Dissolution

If the management Committee decides that it is necessary to dissolve the Charity it shall call a meeting of the Charity, of which not less than 21 days notice (stating the terms of the resolution to be proposed) shall be given. The proposal shall be confirmed if accepted by a two thirds majority of those present and voting. The Management Committee shall have power to realise any assets held by or on behalf of the Charity. Any assets remaining after the satisfaction of any proper debt and liabilities shall be given or transferred to such other institution or institutions having objects similar to the objects of the Charity as the members of the Charity may determine or failing that shall be applied for some other Charitable purpose. A copy of the statement of account or accounts and statement, the final accounting period of the Charity must be sent to the Commission.

This constitution was adopted on the date mentioned above by the persons whose signatures appear at the bottom of this document.

Signed