

THE CONSTITUTION OF THE
MENSTON COMMUNITY ASSOCIATION

1. NAME

1.1 The name shall be: MENSTON COMMUNITY ASSOCIATION

1.2 "Menston" means the area delineated on the plan annexed hereto or such plan as may be approved from time to time by simple majority of an annual general or Public Meeting of the Association.

2. OBJECTS

2.1 The objects of the Association shall be to promote the benefit of the inhabitants of Menston and the neighbourhood without distinction of sex or of political, religious or other opinions by associating the local authorities, voluntary organisations and inhabitants in a common effort to advance education and to provide facilities in the interests of social welfare for recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants.

2.2 The Association shall be non-party in politics and non-sectarian in religion.

2.3 The Association shall have power to affiliate to the National Federation of Community Associations and to other organisations with similar charitable objects.

3. MEMBERSHIP

3.1 Any person on and after the 18th anniversary of their birth, who is resident in the area defined by Clause 1.2 above shall be a member.

4. QUALIFICATIONS OF OFFICIALS AND COMMITTEE MEMBERS

4.1 Each officer and Committee member must be a member of the Association.

4.2 No officer or Committee member may be so by virtue of representing any other interest but that of Clause 2.

5. OFFICERS

5.1 The Officers of the Association shall be:

Chairman

Vice Chairman

Secretary

Treasurer

5.2 The officers shall be elected at the AGM and shall hold office until the end of the following AGM.

5.3 The officers shall be eligible for re-election at the AGM but the maximum continuous tenure of one officer shall be five years.

5.4 Nominations of officers shall be made in writing by not fewer than 5 members to the Secretary at least 14 days before the AGM. Each nomination must be signed by the nominee and the proposers.

6. COMMITTEE

6.1 There shall be a Committee of 12 Committee members. In addition the four officers shall be ex officio Committee members.

6.2 Any member of the Association is entitled to witness meetings of the Committee.

6.3 Each Committee member shall be elected at an AGM and shall hold office until the following AGM.

6.4 Former members of the Committee shall be eligible for re-election.

6.5 Nominations for Committee members shall be made in writing to the Secretary at least 14 days before the published date of the AGM. Each nomination must be signed by the nominees, the proposer and seconder all of whom shall be members of the Association.

- 6.6 Notice and agenda of each Committee meeting shall be forwarded to every Committee member not less than 3 days prior to the date of the meeting.
- 6.7 Seven members of the Committee shall form a quorum provided that two of these are officers of the Association.
- 6.8 The Committee shall have power to appoint such sub-Committees and working parties as it may from time to time decide and may determine their powers and terms of reference.
- 6.9 The Committee shall have the power and authority to initiate and conduct projects and conduct and administer all matters it deems fit within the objects of the Association and make decisions which shall be binding upon the Association subject to the directions by resolution of Public Meetings and annual general meetings of the Association and to this Constitution.
- 6.10 No resolution or decision of a sub-Committee shall be binding upon the Association until the same is approved by the Committee or by resolution of an Annual General or Public Meeting.
- 6.11 Decisions of working parties duly appointed by the Committee within the terms of reference of that working party and consistent with this Constitution and with the policy of the Association as defined by the Committee and Annual General and Public Meetings shall be binding upon the Association.
- 6.12 The Committee shall determine its own standing order and those of its sub-Committees.

7. CASUAL VACANCIES AND CO-OPTION

- 7.1 If an officer or Committee member resigns or retires before the expiry of his or her term s/he shall be replaced by co-option by the Committee. Co-opted officers and

Committee members must be members of the Association and they shall serve until the next AGM when they shall be eligible for election. Co-opted members have the same voting powers as elected members.

7.2 When possible the person co-opted shall be chosen from the nominees for the Committee or the vacant officer at the previous AGM in the order of the votes cast for them.

8. FINANCE

8.1 All moneys raised by or on behalf of the Association shall be applied to further the objects of the Association and for no other purpose.

8.2 The Treasurer shall keep proper accounts of the finances of the Association.

8.3 The accounts shall be audited at least once a year by a qualified auditor or auditors who shall be appointed at the AGM

8.4 An audited statement of accounts for the last financial year shall be submitted by the Committee to the AGM.

8.5 The Treasurer shall obtain the authority of the Committee for all payments from and investment of the Association's funds.

8.6 The administrative and financial year shall be from September 1st to August 31st in the following year.

9. TRUST PROPERTY

9.1 The title of all and any real property which may be acquired by or for the purpose of the Association shall be vested in trustees who shall be appointed by the Committee and who shall enter into a Deed of Trust setting forth the purposes and conditions under which they hold the said property in trust for the Association. The number of trustees shall not be less than 2 nor more than 4.

10. ANNUAL GENERAL MEETING (AGM)

10.1 The AGM shall be open to all members of the Association.

10.2 The AGM will be held in October each year and conducted in accordance with the Standing Orders annexed hereto

10.3 A quorum for an AGM shall be 50 members.

10.4 In the absence of a quorum an AGM will stand adjourned for 14 days when business will proceed without further notice, with or without a quorum.

10.5 The agenda for the AGM will be:

1. Approval of the minutes of the previous AGM
2. Secretary's report
3. Treasurer's report
4. Election of officials
5. Election of Committee members
6. Appointment of auditors
7. Transaction of any business brought before the meeting by the Committee
8. Transaction of any business in accordance with Clauses 11 and 12 and the Standing Orders

10.6 A month's notice will be given of the intention to hold an AGM and this notice will be displayed in a manner which is public to the members of the Association.

11. AMENDMENTS TO THE CONSTITUTION

11.1 Each amendment must be authorised at the AGM by a two thirds majority of those present and voting.

- 11.2 Motions proposing amendments must be notified in writing to the Secretary at least 14 days before the published date of an AGM and must be signed by at least 10 members.
- 11.3 No alteration to Clause 2 shall be made without the consent of the Charity Commissioners for England and Wales.
- 11.4 If Trustees have been appointed in accordance with Clause 9 hereof, an alteration shall not be made without the knowledge and consent of the Trustee but such consent shall not be unreasonably withheld by them.
- 11.5 For the purposes of Clauses 11.1–11.5 of this Constitution an AGM deemed quorate by virtue of Clause 10.4 shall not have the powers of a quorate AGM.
12. NOTICE OF MOTIONS
- 12.1 Motions under item 10.5.8 of the Agenda for the AGM shall be notified to the Secretary in writing not less than 14 days before the date of the meeting and signed by the proposer and seconder.
- 12.2 Later motions may be accepted according to the Standing Orders.
- 12.3 A motion passed at a quorate AGM or formally constituted Public Meeting attended by more than 40 members shall be binding on the Committee.
13. PUBLIC MEETINGS
- 13.1 A Public Meeting shall be called by either the Committee or the Chairman at the request of 10 members of the Association.
- 13.2 At least one Public Meeting shall be held each year in addition to the AGM.
- 13.3 A Public Meeting shall take place no sooner than 14 and no later than 48 days after the decision of the Committee or the date of request to the Chairman.
- 13.4 Public notice of a Public Meeting shall be given as soon as practicable.

13.5 The Public Meeting shall be conducted in accordance with the standing orders annexed hereto.

14. INTERPRETATION OF RULES

14.1 In the event of any questions arising as to the interpretation of this Constitution, the question shall be referred to the Committee whose decision shall be binding unless challenged by 12 members. If so challenged the Committee's decision shall be referred to an independent legal advisor nominated by the Chairman whose determination shall be final.

15. OWNERSHIP OF DOCUMENTS

15.1 All correspondence and records of the Committee and officials are and shall remain the property of the Association.

16. DISSOLUTION

16.1 If the Committee by a simple majority decides at any time that on the grounds of expense or otherwise it is necessary or advisable to dissolve the Association it shall call a meeting of all members of the Association who have the power to vote and of the inhabitants of Menston at the age of eighteen years and upwards of which meeting not less than 21 days notice (stating the terms of the resolution to be proposed thereat) shall be posted in a conspicuous place or places in Menston and advertised in newspapers circulating in Menston and given in writing to the Charity Commissioners for England and Wales and the Secretary for the National Federation of Community Associations. If such decision shall be confirmed by a simple majority of those present and voting at such meeting the Committee shall have power to dispose of any assets held by or in the name of the Association. Any assets remaining after the satisfaction of any proper debts and liabilities shall

be applied towards charitable purpose for the benefit of the inhabitants of Menston as the Committee may decide and as may be approved by the Charity Commissioners for England and Wales.

16.2 If there are insufficient elected or co-opted officers and members of the Committee to form a quorum for Committee purposes then for the purposes of this clause alone a meeting of elected or co-opted Committee members and officers properly convened with due notice shall be deemed a quorate Committee.