



## SERVING NOTICES OF MEETING

**Preamble:** This document is an alert for the attention of each U3A Network NSW Member Association Committee to plan the process of scheduling member meetings as required by their U3A Constitution.

**Constitutional Provisions:** Each Member U3A's constitution must have provisions governing the serving of notices. For example, the template constitution provides for the following:

- a **Committee Meeting** requires a period of no less than **3 days' notice**,
- an **AGM** the period is **14 days' notice**, or
- an **AGM** where the agenda includes a special resolution requires a period is **21 days' notice**.

Each of the above meeting scenarios is impacted by the **postal rule** (see below).

The periods so specified are clear days meaning they do not include the day the notice is emailed or sent out and the day of the meeting .

If your constitution allows for notices to be sent by email then it will most likely also provide in the Notice clause that the emailed notice will be deemed to have arrived on the day it was sent.

If a notice is posted (prepaid mail) then you must keep in mind the postal rule. It was recently amended to 7 days to allow for the time it is currently taking to receive mail. The postal rule deems notices to have arrived on the seventh working day after the letter was posted. In making the 7-day calculation you do not count the day on which the notice is posted nor do you count Saturdays and Sundays. If a Public or Bank Holiday falls in the period you do not count those days.

**Example:** *Not representative of the current year.*

A committee meeting is scheduled for Friday, October 11. If the Constitution requires that a notice be received 3 days prior to a meeting, then if the notice is emailed out it must be emailed out at the latest on Friday 4 October in order to give the recipient 3 clear days' notice prior to the meeting i.e. Thursday 10, Wednesday 9 and Tuesday 8 October\*.

\* As Monday 7 October is a Public Holiday, it is not counted.

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If the notice is posted out then it must arrive at the latest on Friday 4 October to allow for the 3 clear days of notice. To take advantage of the postal rule, you must post the notice at the latest on Wednesday, September 25 (you do not count Saturdays & Sundays, in this case, September 28 & 29), September 26, 27, 30, October 1, 2, 3, 4 constitute the 7-day postal period. Therefore there are  $3 + 7 = 10$  days when posted.

**Does it matter?** *Yes, it does for two reasons.* Firstly, every member of your U3A is entitled to receive the stipulated notice, and secondly, failure to comply with the notice requirement may result in the proceedings at the meeting being declared invalid.

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