

STATUTES

CHAPTER I: NAME, ADDRESS, SCOPE, AIMS AND ACTIVITIES

Art. 1° Denomination

With the name 'Association U3A de Oliva' is constituted for an indefinite period a non-profit making Association under the dispositions of the Statutory law "Ley Orgánica" 1/2002, of 22 of March, regulator of the Right of Association, and adhering to article 22 of the Spanish Constitution.

Art 2° Legal Status

The Association has its own legal status and full authority to administer and to own its goods and to fulfil its aims.

Art. 3° Registered address and scope of action

The Association establishes its social address as that of the Secretary.

The Association will mainly carry out its activities in the municipal territory of Oliva.

Art. 4° Aims

The aim of the Association is to facilitate, by means of shared learning activities, the cultural, intellectual and recreational interests of the members.

Art. 5° Activities

For the fulfilment of the aims stated in the previous article, the following activities will be developed:

- a) To conduct all type of activities that allows the members to fulfil the object of the Association, such as meetings, cultural training groups, conferences, lectures, excursions, trips, visits.
- b) To obtain books and materials necessary to fulfil the aims.
- c) To inform the members of the activities.
- d) To establish contact and to make interchanges with other groups with similar aims.

CHAPTER II: THE MEMBERS

Art 6° Capacity

Members of the Association will be the physical and legal persons of any nationality who, freely and voluntarily, have an interest in the development of the aims of the Association and who are no longer in full time employment.

Membership application is via the association's website. In order that the Association may carry out its business in a timely, economical and efficient manner an email address is required for each member.

They must make a request for membership and this will be decided at the first meeting thereafter. If the applicant matches the conditions set out in the statutes, the committee (representative body) may not deny admission

The membership is not transferable

Art. 7° Rights of the Member

The rights of the member are:

- a) To participate in the activities of the Association and Committee, to exercise voting rights and to attend the Annual General Meeting in agreement with the Statutes. To be a member of the Committee it is requisite to be of legal age and to have full civil rights.
- b) To be informed about the composition of the Committee of the Association, of its statement of accounts, and the development of its activities. They will have access to all the information through the Committee.
- c) To be heard prior to the adoption of disciplinary measures against them and to be informed of the cause that gives rise to such measures.

To oppose the agreements of the Committee that they consider do not fulfil the Law or the Statutes.

Art. 8° Duties of the Member

The duties of the member are:

- a) To share the purposes of the Association and to collaborate in their attainment.
- b) To pay the membership fees within one month of the start of the membership year.
- c) To fulfil the rest of the obligations stated in the statutes.
- d) To submit to and to fulfil the agreements validly adopted by the representatives of the Association.

Art. 9° Leaving the Association

Reasons for leaving the Association are:

- a) The decision of the member to terminate membership, communicated in writing to the Committee.
- b) Not paying the requisite membership fees within 2 months.

Art. 10° Sanctions

The expulsion from the Association of a member by sanction will take place when a member commits acts that make him unworthy to continue belonging to it, such as:

- a) Deliberately preventing or setting up obstacles to the fulfilment of the aims of the Association.
- b) Deliberately preventing the legitimate work of the Committee of the Association.
- c) Bringing the name of the Association into disrepute

In all cases, to decide the expulsion of a member, a disciplinary file will be necessary to record the statement of the affected member and the procedures of the proposed expulsion.

CHAPTER III - GOVERNANCE

Art. 11° the Annual General Meeting (AGM)

The AGM is the supreme organ of government of the Association, established by the members by their un-renounceable own rights and in absolute equality, that adopts its agreements by the principle of simple majority.

All the members will be subject to the agreements of the AGM, even the absentees, the dissidents and those that although present have abstained from voting.

Art. 12° Meetings of the AGM

The Annual General Meeting will meet in ordinary session in May. Following the elections, the new committee will assume their roles at the June committee meeting, except the Treasurer who will continue to 31st August to finalise the accounts for the year.

An Extraordinary Meeting can be called whenever it is required by a minimum of ten percent of the membership.

Art. 13° Announcement of the Annual General Meeting

The announcement of the AGM but also Extraordinary, will be made in writing. The announcement of the meeting will be placed in the customary places a minimum of fifteen days in advance. Whenever possible all the members will be summoned individually. The announcement will state the day, time and place of the meeting, also the agenda..

The meetings of the AGM will be directed by the President and Secretary.

The Secretary will write up the Minutes of each meeting, which will reflect an extract of the deliberations, the agreements adopted and the results of the votes. At the beginning of each meeting the Minutes of the previous AGM will be read and approved or rectified.

Art. 14° Competencies and validity of the agreements

The Assembly will be quorate in the first instance with a minimum of 50 of the present or represented members; and in the second instance, whatever the number, it must be held after half an hour in the same place.

In the meetings of the Annual or Extraordinary General Meeting, each member of the Association has one vote.

The competencies of the AGM are:

- a) To approve the management of the Committee.
- b) To examine and approve or reject the annual statement of income and expenses, as well as the Annual Memorandum of activities.
- c) To establish the activities which allow the Association to fulfil its aims.
- d) To ensure the democratic operation of the Association.
- e) To fix the ordinary or extraordinary fees.
- f) To elect or dismiss the members of the Committee.
- g) Notification of the expulsion of a member by the Committee. This after due diligence of the procedure for expulsion.
- h) Constitution of federations and integration in them.
- i) Dissolution of the Association.
- j) Modification of statutes
- k) Disposal and transfer of goods.

The agreements will be passed by simple majority of the present or represented members, when the affirmative votes surpass the negative. However, agreements relating to dissolution of the Association, modification of the Statutes, disposal or transfer of goods and remuneration of the members of the Committee, whenever the corresponding assembly has been summoned specifically with such object, will require an affirmative vote of 50% of those present.

CHAPTER IV - THE COMMITTEE

Art.15° Composition of the Committee

The Association will be governed, administered and represented by the Committee formed by the President, Vice-President, Secretary, Treasurer, and a minimum of two members.

The election of the members of the Committee will be by free and secret ballot of the members of the General Assembly. The candidates will be any member who is of legal age, in the full use of his civil rights and not barred from serving due to legal reasons, being chosen for the offices of President, Vice-President, Secretary, Treasurer and two members.

The offices of President, Vice-President, Secretary and Treasurer must be given to different people.

The remuneration of the Committee is none.

Art. 16° Duration of the mandate in the Committee

The members of the Committee will remain in office for one year and can be re-elected for a maximum of 3 years.

Note – other Associations do not define a maximum period.

Ceasing in office before the prescribed term finishes could be due to: -

- a) Voluntary retirement in writing in which the reasons are stated.
- b) Illness that incapacitates the member for the duties of the office.
- c) Ceasing as a member of the Association.
- d) Penalty imposed by a fault committed in the duties of the office.

The vacancies that take place in the Committee will be filled in the first Annual General Meeting after the vacancy occurs.. However, the Committee will be able to co-opt, provisionally, until the next General Meeting, a member of the Association for the vacant office.

Art. 17° Competencies of the Committee

The Committee has the following obligations:

- a) To represent the Association and to carry out the direction and the administration in the fullest way recognized by the law and to fulfil the decisions taken by the AGM, in agreement with the general norms, instructions and directives that the AGM establishes.
- b) To adopt the necessary agreements for the appearance before public bodies, for the exercise of all class of legal actions and to provide the necessary resources.
- c) To resolve on the admission of new members.
- d) To propose to the AGM the establishment of the fees that the members of the Association must meet.
- e) To summon the AGM and to ensure that the agreements that are adopted there are fulfilled. With particular reference to the agreements on modification of Statutes, the content of the modification will be notified to the Registry of Associations within one month from the date of celebration of the summoned Assembly.
- f) To present the annual balance and statement of financial accounts of the activities of the Association to the AGM for approval.
- g) To maintain the inventory of the resources of the Association.
- h) To produce an Annual Memorandum of activities and to submit it to the AGM for approval.
- i) To solve provisionally any situation not foreseen in the present Statutes and to give account of them at the first subsequent AGM.
- j) To create and to remove honorary and collaborating members of the Association. These will not be required to meet the agreed membership fees.
- k) To co-opt members to assist with the work of the committee as necessary.
- l) Any other competency not attributed specifically to the AGM in these statutes.

Art. 18° Meetings of the Committee

The Committee, summoned previously by the President or his substitute, will meet in ordinary session with the regularity that its members decide, but not longer than every three months. They will meet in extraordinary session if required by a third of the members.

The Committee will be validly constituted with an advance announcement and a quorum of half plus one of its members.

The members of the Committee are required to attend all the meetings that are summoned, being able to excuse their attendance with reasonable cause. The attendance of the President and the Secretary or of the people who replace them is required.

In the Committee agreements will be adopted by simple majority of the votes of the members. In case of tie, the President or his substitute will have the deciding vote.

The agreements and deliberations of the Committee will be recorded in the Minutes. The Minutes will be held by the Secretary. At the beginning of each meeting the Minutes of the previous session will be read for approval or rectification.

Art. 19° The President

The President of the Association will also be President of the Committee.

The President has the following functions:

- a) The direction and legal representation of the Association, by delegation of the AGM and the Committee.
- b) The presidency and the direction of the debates of the Committee
- c) To sign the announcements of the meetings of the AGM and the Committee.
- d) To review the Minutes and the certificates made by the Secretary of the Association.
- e) Any other duties the AGM or the Committee delegate to him.

The President will be substituted, in case of absence or illness, by the Vice-President or the oldest member of the Meeting.

Art 20° The Vice-President

- a) To act for the President in his/her absence.
- b) To organise suitable speakers at the monthly General Assemblies.
- c) To liaise with the Travel & Event team.
- d) ????

Art. 21° The Treasurer

- a) The Treasurer will be responsible for the safekeeping and control of the resources of the Association.
- b) The Treasurer shall prepare the financial statements of accounts, in order to put them before the Committee as determined in article 17 of these Statutes.
- c) The Treasurer will sign receipts, and other financial documents.
- d) The Treasurer will pay the invoices approved by the Committee. The disposition of funds will be determined in Art. 26.
- e) The Treasurer will present the Annual Audited accounts to the committee and the AGM for approval.

Art. 22° The Secretary

- a) The writing and distribution of notices calling for meetings as directed by the President.
- b) The drafting and distribution of agendas for meetings.
- c) The taking and recording of minutes of the governing and representative bodies. These minutes must be approved as a true record of the proceedings held at the next meeting, and duly signed by the Secretary and the President following such approval.
- d) Following decisions taken and endorsements given at the Annual General Meeting of the General Assembly to update the statutes and submit them to the Generalitat Valencia - Conselleria Justica Interior Y Administraciones Publicas in Valencia, and to the governing body in Oliva, to formally record the made to the provisions there in.
- e) To take minutes at the group leader's meetings and to distribute as appropriate to group team, committee and group leaders.

CHAPTER V. THE ECONOMIC REGIME

Art. 23° Initial Assets and economic resources

The initial patrimony of this Association is valued at zero euros.

The annual expenditure will be approved in the AGM.

The economic resources of the Association will consist of:

- a) The fees that the General Assembly requires from its members.
- b) Public or private subsidies
- c) Grants, donations, inheritances and legacies.
- d) Interest from the assets or other income that they can obtain.

Art. 24° Profit from the activities

Benefits obtained from the exercise of economic activities, including rendition of services, will be destined exclusively for the fulfilment of the aims of the Association, allowing in no case their distribution between the members, their relatives, or any other person or legal entity.

Art. 25° Membership fees

All the members of the Association are obliged to maintain it economically, by means of membership fees or special contributions, as determined by the AGM and the proposals of the Committee.

The AGM will be able to establish registration fees, periodic membership fees, and extraordinary membership fees.

The economic year will close on the 31 of August every year.

Art. 26° Disposition of funds

In the current accounts or bank books opened in credit establishments, must appear the signature of the President, the Vice-President, the Treasurer and any two of the elected committee members. In order to have use of the funds two signatures will be sufficient of which one must be the Treasurer or the President. Married couples, civil partnerships or co-habiting partners may not be co-signatories of any of the Association's bank accounts. Debit cards will be held by the President and the Treasurer on the main account and by the Treasurer and the relevant Group Leader on subsequent accounts.

CHAPTER VI - DISSOLUTION OF THE ASSOCIATION

Art. 27° Causes of Dissolution and disposal of the remainder

The Association could be dissolved:

- a) If so decided by the General Assembly specifically summoned for this aim and with the affirmative vote of more than 75% of the present or represented members.
- b) By the causes determined in article 39 of the Civil Code.
- c) By firm judicial sentence.???

Art. 28° Liquidation

The dissolution of the Association opens the period of liquidation, until the end of which the organization will maintain its legal status.

The members of the Committee at the moment of the dissolution become liquidators, unless the General Assembly designates this role to others, or those that the judge, if that is the case, decides.

The obligations of the liquidators are:

- a) To guard the integrity of the assets of the Association.
- b) To complete pending operations and to carry out the new ones required for the liquidation.
- c) To liquidate the assets and to pay the creditors.
- d) To apply the leftover goods of the Association to the aims stated in the Statutes.
- e) To apply for the cancellation of the entries in the corresponding Registry.

In case of insolvency of the Association, the Committee or, if it is the case, the liquidators have to instigate immediately the required procedure before the competent judge.

If a cash surplus exists, they will dispose of it in a manner consistent with the non-profit character of the organization, specifically to the Llar de Jubilats de Oliva. Given to a charity as chosen by the Membership at that time.

The members are not personally responsible for the debts of the Association.

CHAPTER VII - RESOLUTION OF CONFLICTS

Article 29° Resolution of conflicts.

In accordance with the stipulated in article 40 of the statutory law "Ley Orgánica 1/2002", of 22nd of March, regulator of the Right of Association, the litigious questions that can arise in relation to the private legal traffic of the Associations and of their internal operation will be under the competency of the Civil Jurisdiction.

The agreements and performances of the Association could be opposed by any member or person who has a legitimate interest. The member will be able to oppose the agreements and actions of the Association that they consider opposed to the Statutes, within the term of forty days from the date of adoption of such, requiring their rectification, suspension or cancellation, by the proceedings established in the Law of Civil Judgement.

Notwithstanding the previous, conflicts will also be able to be solved in extrajudicial form by means of arbitration, through a procedure adjusted to what is regulated by Law 36/1988 of 5 December of Arbitration, and subject to the essential principles of audience, contradiction and equality between the parts.

