

11. NOTICES

Reference is made to 'notice' in various places in the constitution (see clauses 4, 5.2, 6.7.5 and 12.1). This clause makes clear how members should be notified. What is meant by 'written' is defined in Clause 14.

12. AMENDMENTS

Amendments to the PTA UK model constitution may be required as your **association** develops.

- 12.1 The **members** must be given advance notice of proposed amendments to the constitution. When giving notice each 'day' starts at midnight, and the day on which notice is given does not count.
- 12.2 It is vital that the constitution is not amended in a way that makes it impossible for the **association** to continue to operate. Under this clause, certain amendments are not valid, i.e., if adopted they will not count as amendments and will not be registered by the Charity Commission. The two cases are:
- where there is a fundamental change in the **objects**, i.e., where the new purposes are of a kind which a previous supporter could not reasonably be expected to have foreseen when contributing to the **association's** funds
 - where the change in the constitution would cause the charity to become a non-charitable body. Both issues need to be considered for all proposed amendments. It will normally be appropriate to seek legal advice or consult the Charity Commission before the proposed amendments are drawn up.
- 12.3 The Charity Commission should be notified promptly of all amendments that are made. Any amendment made to the PTA UK model constitution prior to charity registration needs to be agreed directly with the Charity Commission and therefore would disqualify the application for registration through the PTA UK fast track registration scheme.

13. DISSOLUTION

It is not unusual for **unincorporated charitable associations** to reach the end of their useful life and decide to dissolve.

- 13.2 This clause allows for any remaining assets to be passed to the school or, if the school is or will soon be closed, to another school.
- 13.4 The **committee** will not be relieved of their responsibilities until they have completed this task and have sent a final report and statement of accounts to the Charity Commission and take the necessary steps to remove the **association** from the register of charities via the Charity Commission's website: www.gov.uk/remove-charity-register#before-you-start.

11. NOTICES

- 11.1 Notice of any **General Meeting** of the **association** may be sent by hand, by post, by suitable electronic communication (email) or in any newsletter distributed by the **association** to its **members**. Notification by hand may include distribution to parents, guardians and carers via their children with or without other communications from the school.
- 11.2 The address at which a member is entitled to receive notices (if sent by post) is the last known address of the **member**.
- 11.3 A technical defect in the giving of notice which the members or **committee members/trustees** are unaware of at the time does not invalidate decisions taken at a **General Meeting**.

12. AMENDMENTS

This Constitution may be amended at a **General Meeting** of the **association** by a two-thirds majority of the votes cast but:

- 12.1 The **members** must be given 21 clear days' notice of the proposed amendments
- 12.2 No amendment is valid if it would make a fundamental change to the charitable purpose (**objects**)/clause 2 or destroy the charitable status of the **association** and no amendment may be made to clause 9 without the prior written consent of the Charity Commission
- 12.3 A copy of any resolution amending the constitution must be sent to the Charity Commission within 21 days of it being passed.

13. DISSOLUTION

- 13.1 The association may be dissolved by a resolution presented at an **EGM** or an **AGM** where this is included in the notice of the meeting. The resolution must have the agreement of two-thirds of those voting and must give instructions for the disposal of any assets remaining after paying the outstanding debts and liabilities of the association.
- 13.2 The net assets shall not be distributed among the members of the **association** but will be given to the school for the benefit of the pupils of the school. In the event of the school closing any remaining funds could be distributed to a neighbouring school or schools as selected by the **committee**.
- 13.3 If it is not possible to dispose of assets as described in clause 13.2 then the assets can be given to another charitable cause provided that the cause is within the objects of the association.
- 13.4 The **committee members/trustees** must notify the Charity Commission promptly that the **association** has been dissolved. The **committee members/trustees** must comply with any request from the commission including providing the **association's** final accounts.