

Amendment to the Charitable Purposes of M&L U3A Constitution - May 2021

BACKGROUND

You may recall that at our AGM in 2018 (Item 5, refers) we agreed to update our Charitable Purposes in line Third Age Trust (TAT)/Charity Commission (CC) recommendations. This would see our objects change to ***"The advancement of education and, in particular, the education of older people and those who are retired from full time work by all means, including associated activities conducive to learning and personal development, in Maghull and the surrounding area."*** For some reason the process of formally updating these objectives was not completed, subsequently we received correspondence from the Charity Commission on the 19th September 2019, stating: ***"I can find no record of our consent having being given and the charity does not appear in the [Third Age Trust] scheme dated 12th July 2018."*** ... and that our changes had therefore not been approved.

ORIGINAL PROCESS

Leading up to our AGM in 2018 we had received, at some point, an invite from TAT to change our Charitable Purposes. The process required us to notify TAT by the 20th March 2018 that we wished to be included in the scheme mentioned previously and also, formally approve the amendment at AGM, the TAT would then put our name forward for approval by the CC. For some reason the process was not completed, at what stage is unclear but sufficient to say approval was not forthcoming? At the time I felt that little purpose would be served in attempting to find out where or when the procedure faltered.

OUTCOME

Following various correspondence between myself, TAT and CC over the next four months (Sept. 2019 to Jan. 2020), the CC replied as follows:

"I understand that you have been advised to apply for a scheme to amend the objects of the charity. Whilst some object changes require a scheme, it is not needed in this case because there is a provision (at clause 16) in the charity's current 2006 constitution that allows the objects to be changed with the prior written consent of the Charity Commission.

*Therefore, the trustees may take this email as the Commission's **prior written consent** to the following objects: "The advancement of education and, in particular, the education of older people and those who are retired from full time work by all means, including associated activities conducive to learning and personal development, in Maghull and the surrounding area." Unfortunately we are unable to give retrospective consent which means that the trustees will need to re-pass the resolution to make the amendment at their next general meeting."*

Unfortunately having given their "**prior written consent**" they promptly contradicted themselves by adding "**Unfortunately we are unable to give retrospective consent...**".

Assuming Members approve the amendment placed before them today, formal consent will be sought immediately from the Charity Commission. This unfortunately, is where we find ourselves today...

Therefore the resolution before Members once again, is to approve the amendment to our Charitable Purposes to bring them in line with TAT/CC recommendations.