

NPO GOVERNANCE TOOL BOX SERIES

Vol. 6, Issue 1

For private circulation only

NOTICE



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OUTLINE OF GOVERNANCE TOOL BOX

Vol. I: Tools for identifying, recruiting and developing a Board

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CONDUCTING MEETINGS:

NOTICE

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1. WHAT IS A NOTICE?

Notice is a communication to the members about the upcoming meeting of the board.

- It is a legal document and has to be legally served.
- The time lines for serving notice for the meeting is part of the incorporation law or the bye laws of the organization

2. WHEN THE NOTICE SHOULD BE SERVED?

The notice needs to be served in the manner in which it is specified in the law. Generally, there are two types of Meetings for which notice is served i.e.

1. General Body Meeting
2. Governing body/Board Meeting

1. **General Body Meeting:** An Annual General Meeting (AGM) is held once in a year. As per Companies Registration Act 2013, a 21 days' notice is served for calling Annual General Meeting.
2. **Governing Body/Board Meeting:** A Governing body/Board meeting is held at least twice a year, for which a 7 days' notice is to be served.

Further, the notice should be served to every member of the meeting at the address available with the organization.

3. WHO IS RESPONSIBLE TO SERVE THE NOTICE?

Generally, as per the relevant practices, the Secretary of the Board/General body is responsible to send out the notice in consultation with the Chairperson. In case, there is no Secretary then the Board or General body can authorize one member to act as a Secretary to serve the notice.

4. HOW THE NOTICE IS TO BE SERVED?

In the earlier days, the notices were being served as hard copies through registered post or with Certificate of posting. This would provide evidence that the notice was actually served. However, in recent times with the e-mail being the mode of communication, the question arises whether it is necessary to follow the usual route of serving notice through hard copy. Here the incorporation law and the bye laws of the organization come into consideration. For example, if the Societies Registration Act of the state of incorporation provides physical serving of notice, then it has to be followed. Similarly, if the bye laws prescribe serving of the notice through hard copy, it has to be followed accordingly. Otherwise, notice can be served through electronic media (e-mail).

5. WHAT THE NOTICE SHOULD CONTAIN?

The following should be part of the notice:

- 4.1. Name of the organization
- 4.2. Date, place and time of the meeting
- 4.3. It should be mentioned whether it is an “ordinary meeting” or “Extra ordinary meeting”¹.
- 4.4. The agenda to be discussed should be attached with the notice.
- 4.5. The notice should be served by the person authorized (Secretary/Managing Trustee etc)

6. SAMPLE NOTICE

A sample notice is attached as *Annexure 1*

¹ An “ordinary meeting” is called as part of usual governance process, whereas an “extra ordinary meeting” is called to transact business which arises as a special case requiring immediate attention.

NOTICE FOR A BOARD MEETING

Notice is hereby given that the 23rd (*No. of meeting*) ordinary meeting of the Governing body members of (*Name of the organization.*) will be held on (*Date of meeting*) 20 (*Year*), at (*Time*) a.m./p.m. in the registered office at (*Place of meeting*) to transact the following items/business:

1. Agenda 1
2. Agenda 2
3. Agenda 3

Signature & Seal of
Secretary

Watch out for the next issue on “Setting the Agenda”

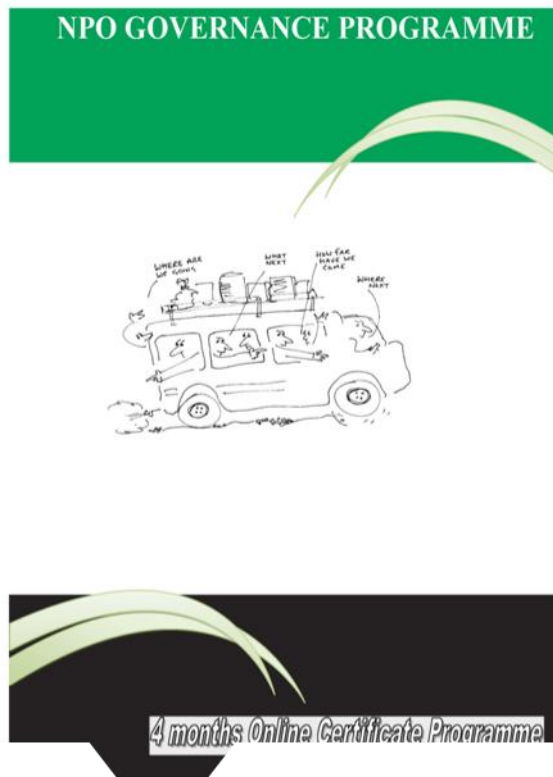


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FMSF launched a **Certificate program on NPO Governance in July 2012**. The programme provides a comprehensive understanding on Governance of an organization. This is completely an e-based program. Please download the brochure from our website www.fmsflearningsystems.org



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