

OGC:AMT:bhs
07-0712R

TO: []

FROM: Sheila A. Albin, Associate General Counsel /S/

SUBJECT: [] Federal Credit Union (FCU)
Nonstandard Bylaw Amendment

DATE: August 2, 2007

Under NCUA Delegations of Authority, Supervision 12, you have asked for concurrence regarding [] FCU's proposed amendment to Article V, Section 7 of its bylaws. [] FCU proposes to establish the eligible member voting age at 14 and establishing the eligible age to hold office at 18, and you indicate you are inclined to approve the proposed amendment. The proposed amendments are legally permissible but we suggest additional language for clarification.

OGC has concurred with several other amendments establishing similar age limits in Article V, Section 7. OGC has not identified any legal impediment to the proposed language for Article V, Section 7.

Based on the FCU's submission and with some added language to clarify service by 18 year olds, the proposed language for Article V, Section 7 of [] FCU's Bylaws may be changed to add the following paragraph:

Section 7. Minimum age requirement. Members must be at least 14 years of age by the date of the meeting in order to vote, sign nominating petitions, or sign petitions requesting special meetings. Members must be at least 18 years of age by the date of the meeting at which they are elected or appointed in order to hold elective or appointive office.

Please contact Staff Attorney Annette Tapia or me if you have any questions.

