



## Canberra Multicultural Community Forum (CMCF) Incorporated.

### **CONSTITUTION 2012**

Incorporated (March 2006)

1<sup>st</sup> Amendment (October 2008)

2<sup>nd</sup> Amendment (November 2009)

3<sup>rd</sup> Amendment (October 2011)

4<sup>th</sup> Amendment (November 2012)

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## Part 1 Preamble

**WHEREAS** there are already other Associations existing in the Australian Capital Territory (ACT) promoting various common causes, objects, goals and aspirations of the multicultural community

**AND IT IS DESIRABLE** to have a unified voice and a single peak body to promote the common interests and articulate the purpose and direction of the multicultural community in the ACT. The forum is established to act as the multicultural voice of ACT, to advocate through:

- collaboration and consultation
- facilitating and participating in public policy and debate
- Supporting new programs and innovation
- Celebration and promoting multiculturalism
- Building community capacity
- Community education, conferences, seminars.

**THEREFORE** the Canberra Multicultural Community Forum (CMCF) Incorporated has been founded to provide that voice.

## Part 2 Preliminary

### Definitions and Interpretations

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1. In these Rules, unless a contrary intention appears:

**“Associate Member”** means a community organisation or a person appointed as an Associate Member.

**“Association”** means Canberra Multicultural Community Forum (CMCF) Incorporated.

**“Corporate Member”** means a company, a business entity, a charity or a service organisation appointed as a Corporate Member.

**“Executive Committee”** means the Executive Committee of the Association.

**“Financial Year”** means the year ending on 30 June.

**“Full Member”** means a community organisation appointed as a full member.

**“Honorary Life Member”** means a person awarded as an Honorary Life Member.

**“Ordinary Committee Member”** means a member of the Executive Committee who is not an office bearer of the Association.

**“Poll”** means a secret ballot in writing.

**“Prescribe”** in relation to the Executive Committee, means prescribe in writing by the Executive Committee.

**“Resolution”** in relation to general meetings or to meetings of the Executive Committee, means a decision taken after formal motion, secondment and then formal voting after any subsequent discussion including amendments to the original motion.

**“Rules”** means these Rules contained in this document.

**“Secretary”** means the person holding office under these Rules as Secretary of the Association or, if no such person holds that office, the Public Officer of the Association.

**“Treasurer”** means the person holding office under these Rules as Treasurer of the Association or, if no such person holds that office, a member appointed to fill the position as the acting Treasurer of the Association.

**“the Act”** means the *Associations Incorporation Act 1991*.

**“the Regulation”** means the *Associations Incorporation Regulation 1991*.

2. Application of *Legislation Act 2001*
  - 2.1 The *Legislation Act 2001* applies to these Rules in the same way as it would if they were an instrument made under the Act.
  - 2.2 Any reference to Legislation means an Act or statutory instrument, whether or not it has been amended or replaced.

## **Part 3 Objects, Name and Powers of Association**

### **Objects**

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3. The objects of the Association are to:
  - 3.1 Represent and advocate on behalf of the multicultural community, especially groups which has experiences the refugee and migration processes;
  - 3.2 Provide a forum for ongoing discussion and communication on multicultural issues, events and policy;
  - 3.3 Provide support for, and develop the capacity of, multicultural community organisations; particularly CMCF members;
  - 3.4 Foster and promote social cohesion, cooperation, community harmony and a cultural diverse society.

### **Name**

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4. The name of the Association is  
“Canberra Multicultural Community Forum (CMCF) Incorporated”.

## **Powers**

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5. Solely for the purpose of carrying out the objects of the Association and not otherwise, the Association shall have the following powers to:
  - 5.1 admit to membership of the Association upon such terms and with such privileges as may be prescribed by these Rules;
  - 5.2 accept and raise monies for the purposes of the Association;
  - 5.3 use the monies of the Association or any portion thereof for the purpose of carrying out the objects of the Association;
  - 5.4 cause to be paid from the monies of the Association all expenses of and incidental to the affairs of the Association;
  - 5.5 adopt means of making known the agreed activities conducted under the name of the Association;
  - 5.6 appoint, employ, remove or suspend such persons as may be necessary for the purposes of the Association;
  - 5.7 authorise a person(s) nominated on behalf of the Association to undertake and execute any trusts the undertaking whereof may be necessary or desirable for the carrying out of any of the objects of the Association;
  - 5.8 do such other acts, matters and things and to enter into and make such agreements as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; and
  - 5.9 enter into any other arrangement with any Association whether incorporated or not having objects similar in whole or part to those of the Association.
6. As a non-profit organisation, the assets and income of the Association shall be applied solely to further its objects, and no portion shall be distributed directly or indirectly to the members of the Association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.

## **Part 4 Membership**

### **Membership Qualifications**

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7. A community organisation or a person is qualified to be a member if:
  - 7.1 the community organisation or person has not ceased to be a member of the Association at any time after the incorporation of the Association under the Act; or
  - 7.2 the community organisation or person:
    - 7.2.1 has been nominated for membership in accordance with these Rules; and
    - 7.2.2 has been approved for membership of the Association by the Executive Committee of the Association in accordance with these Rules.

## **Classes of Membership**

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8. Membership of the Association shall consist of:

### **8.1 Full Membership -**

- 8.1.1 any incorporated or unincorporated community organisation that wishes to promote the objects of the Association may apply for full membership of the Association;
- 8.1.2 an application for full membership shall be made by the nominated representative of the community organisation;
- 8.1.3 subject to these Rules, a full member shall be represented by one nominated representative and holds full voting rights consisting of one vote;
- 8.1.4 a full member must, if requested by the Executive Committee, furnish annual reports to the Association containing information such as the President's report and the list of the elected committee members.

### **8.2 Associate Membership -**

- 8.2.1 Any incorporated or unincorporated community organisation or a person wishing to promote the objects of the Association may apply for Associate Membership of the Association;
- 8.2.2 an application for Associate Membership shall be made by the nominated representative of the community organisation or an individual;
- 8.2.3 an Associate Member being a community organisation shall be represented by one nominated representative and holds no voting rights at general meetings;
- 8.2.4 an individual Associate Member holds no voting rights at general meetings of the Association, except when the Associate Member is required to exercise a casting vote pursuant to the Rules;
- 8.2.5 an Associate Member has the right to vote at and hold committee positions on the Executive Committee.

### **8.3 Corporate Membership -**

- 8.3.1 Any company incorporated under the Corporations Act 2001, any business or professional entity or charity and/or service organisation being a non government organisation wishing to promote the objects of the Association may apply for Corporate Membership of the Association;
- 8.3.2 a Corporate Member shall not have voting rights or be eligible to hold any office in the Association.

#### **8.4 Honorary Life Membership -**

- 8.4.1 any individual who, in the opinion of the Executive Committee, has given outstanding service to the Association and/or to the multicultural community in the Australian Capital Territory, may be awarded an Honorary Life Member by the Executive Committee;
  - 8.4.2 an Honorary Life Member shall hold voting rights at general meetings of the Association pursuant to these Rules.
  - 8.4.3 an Honorary Life Member has the right to hold committee positions on the Executive Committee.
9. A Person shall not hold more than one class of membership.
10. The number of Associate Members on the Executive Committee shall not exceed five (5).

#### **Nomination for membership**

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11. A nomination for membership of the Association -
- 11.1 shall be made by a member of the Association on such membership nomination form as is determined by the Association from time to time;
  - 11.2 shall be in writing and lodged with the Secretary of the Association;
  - 11.3 a nomination for membership is required to be signed by the nominee, the nominator and a seconder who is an existing member of the Association;
  - 11.4 a prospective member shall pay the joining fee when the nomination for membership is lodged with the Association;
  - 11.5 as soon as is practicable after receiving a membership nomination form, the Secretary must refer the nomination to the Executive Committee which must decide whether to approve or to reject the nomination within two (2) Executive Committee meetings;
  - 11.6 where the Executive Committee determines to approve a nomination for membership, the Secretary shall notify the nominee of that approval within 14 days of the decision. The membership privileges will take effect on the date when the Executive Committee has determined to approve the nomination for membership;
  - 11.7 the Secretary must, on payment by the nominee of the membership and joining fee enter the nominee's name in the register of members;
  - 11.8 if the Executive Committee rejects the nomination for membership the joining fee paid by the nominee for membership shall be refunded.
12. The Executive Committee reserves the right to decline any nomination for membership. In no case shall the Executive Committee be required to give any reason for declining any nomination.

#### **Membership entitlements not transferable**

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13. A right, privilege or obligation that a person has because of being a member of the Association:



- 13.1 cannot be transferred or transmitted to another community organisation, person, company, business entity, charity or service organisation;
- 13.2 terminates on cessation of membership.

### **Cessation of membership**

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- 14. A member ceases to be a member of the Association if:
  - 14.1 the member resigns, in writing, from membership of the Association; or
  - 14.2 in the case of a person dies or, in the case of a corporation, it is wound up or, in the case of any other entity, that entity ceases to exist; or
  - 14.3 the member is expelled from the Association; or
  - 14.4 the member fails to renew membership of the Association.
- 15. A nominated representative of a community organisation shall cease to be the representative:
  - 15.1 if that person's membership of the member community organisation has been terminated in accordance with the Rules of that community organisation; or
  - 15.2 if the person fails to be nominated, in writing, by the member community organisation as a nominated representative of the member community organisation.

### **Resignation and Removal of Membership**

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- 16. A member is not entitled to resign from membership of the Association except in accordance with these Rules:
  - 16.1 A member who has paid all amounts payable by the member to the Association may resign from membership of the Association by first giving notice (of not less than 28 days or, if the Executive Committee has determined a shorter period, that shorter period) in writing to the Secretary of the member's intention to resign and, at the end of the period of notice, the member ceases to be a member;
  - 16.2 If a member ceases to be a member of the Association, the Secretary must make an appropriate entry in the register of members recording the date the member ceased to be a member.

### **Fees and Register of Members**

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- 17. The Executive Committee may, by resolution from time to time, fix or vary, as the case may be, such joining fees to the Association as it deems appropriate.
- 18. The Executive Committee, may, by resolution from time to time, fix or vary, as the case may be, such annual membership fees of the Association as it deems appropriate, provided there shall be no fees payable by Honorary Life Members.
- 19. The renewal of membership shall be notified to members in writing one month before the membership fees are due to be paid.

20. The annual membership fees are payable:
- 20.1 before 1 July in each calendar year; or
  - 20.2 where a member becomes a member on or after 1 July in any calendar year, before 1 July in the succeeding calendar year.

## **Register of Members**

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21. The Association shall keep and maintain a register of its members, and shall enter at least the following particulars into the register:

**21.1 Full Member:**

21.1.1 the full name of the community organisation as well as the full name of the nominated representative (to be referred to as a “delegate”);

**21.2 Associate Member:**

21.2.1 the full name of the community organisation as well as the full name of the nominated representative (to be referred to as a “delegate”);  
or

21.2.2 the full name of the individual person.

**21.3 Corporate Member:**

21.3.1 the full name of the company, business entity, charity or service organisation as well as the full name of the nominated representative (to be referred to as a “delegate”).

**21.4 Honorary Life Member:**

21.4.1 the full name of the Honorary Life Member and the date the Honorary Life Membership is appointed.

21.5 The address of all members, being an address, notified by the member as an address or the postal address at which the member will receive written communication from the Association.

21.6 Contact telephone number, being a telephone number at which the member may be contacted at a reasonable hour and if the member wishes to be contacted by email, the email address.

21.7 Membership registration number, being the membership number allocated by the Association to the member concerned.

21.8 Date of admission to membership and date of renewal.

21.9 Type of membership, namely, whether Full, Associate, or Corporate.

21.10 Voting right eligibility.

22. The Secretary shall be responsible for the entries in the register, and for the maintenance, custody and safe keeping of the register.

23. Alteration to the membership register shall be made:

- 23.1 when a member ceases to be a member of the Association;
- 23.2 upon receipt of a written notification by a member:
  - 23.2.1 of a change of a nominated representative of the member organisation; or
  - 23.2.2 of a request by the member for an amendment of the particulars in the register.

## **Members' liabilities**

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- 24. The liability of a member to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount (if any) unpaid by the member in respect of membership of the Association, not exceeding \$10.00.

## **Disciplining of members**

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- 25. Where the Executive Committee is of the opinion that a member:
  - 25.1 has persistently refused or neglected to comply with the Rules; or
  - 25.2 has persistently and wilfully acted in a manner prejudicial to the interests of the Association; or
  - 25.3 has been involved in conduct, derogatory to or contrary to the interests of the Association; or
  - 25.4 has furnished false or misleading information in the member's application for membership;
  - 25.5 the Executive Committee may, by resolution:
    - 25.5.1 expel the member from the Association; or
    - 25.5.6 suspend the member from the rights and privileges of membership of the Association for such a period as the Executive Committee may decide.
- 26. A resolution of the Executive Committee is of no effect unless the Executive Committee, at a meeting held not earlier than 14 days and not later than 28 days after serving the member of a notice under these Rules, confirms the resolution in accordance with this Rule.
- 27. Where the Executive Committee passes a resolution under these Rules, the Secretary must, as soon as practicable, serve a written notice on the member by "certified mail" to the address of the member as it appears in the register of members:
  - 27.1 setting out the resolution of the Executive Committee and the grounds on which it is based; and
  - 27.2 stating that the member may address the Executive Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and
  - 27.3 stating the date, place and time of that meeting; and

- 27.4 Informing the member that the member may do either or both of the following:
- 27.4.1 attend and speak at that meeting;
  - 27.4.2 submit to the Executive Committee at or before the date of that meeting written representations relating to the resolution.
28. At a meeting of the Executive Committee mentioned in Rule 27 above, the Executive Committee must:
- 28.1 give to the member an opportunity to make oral representations; and
  - 28.2 give due consideration to any written representations submitted to the Executive Committee by that member at or before the meeting; and
  - 28.3 by resolution decide whether to confirm or to revoke the resolution of the Executive Committee made under Rule 27 above.
29. When the Executive Committee confirms a resolution under these Rules, the Secretary must, within 7 days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal.
30. A resolution confirmed by the committee under Rule 29 above does not take effect:
- 30.1 until the expiration of the period within which the member is entitled to appeal against the resolution if the member does not exercise the right of appeal within that period; or
  - 30.2 where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution in accordance with these Rules.

### **Right of Appeal of Disciplined Member**

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31. A member may appeal to the Association in general meeting against a resolution of the Executive Committee within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
32. On receipt of a notice under Rule 31 above, the Secretary must notify the Executive Committee, which must call a general meeting of the Association to be held within 21 days after the date when the Secretary received the notice or as soon as possible after that date.
33. At a general meeting of the Association convened under Rule 32 above:
- 33.1 no business other than the question of the appeal may be transacted; and
  - 33.2 the Executive Committee and the member shall be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
  - 33.3 the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
34. If the meeting passes a special resolution in favour of the confirmation of the resolution made under Rule 29, that resolution is confirmed and is final.

## **Part 5 Executive Committee**

### **Powers of the Executive Committee**

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35. The Executive Committee, subject to the Act, the regulation, these Rules and any resolutions passed by the Association in general meeting:
- 35.1 shall control and manage the affairs of the Association;
  - 35.2 may exercise all the functions that may be exercised by the Association other than those functions that are required by these Rules to be exercised by the Association in general meeting;
  - 35.3 has power to perform all acts and do all things that appear to the Executive Committee to be necessary or desirable for the proper conduct, control and management of the Association and its affairs and in particular the Executive Committee may regulate:
    - 35.3.1 the admission of members to membership of the Association;
    - 35.3.2 the procedures at meetings of the Executive Committee and general meetings of the Association;
    - 35.3.3 the formation of any sub-committees including the composition, terms of reference and other related matters for the organisation of an event agreed by the Association;
    - 35.3.4 the duties and conduct of any persons appointed by the Association at the time in force to speak/ represent on behalf of the Association;
    - 35.3.5 the appointment of advisors;
    - 35.3.6 the procedures for responding to government policies, programs and related matters and media communication;
    - 35.3.7 all such matters as are commonly the subject matters for the proper conduct of the Association and are not expressly dealt with in these Rules.

### **Composition of Executive Committee**

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36. The Executive Committee shall consist of:
- 36.1 the Office Bearers of the Association; and
  - 36.2 the Ordinary Committee Members which shall consist of no more than seven (7) members each of whom must be elected in accordance with these Rules.
  - 36.3 The Office Bearers of the Association are:
    - 36.3.1 the Chair;
    - 36.3.2 two Deputy-Chairs, one of whom must be a woman;
    - 36.3.3 the Treasurer,
    - 36.3.4 the Secretary.

## **Election of Office Bearers and Ordinary Committee Members**

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37. Nomination of candidates for election as Office Bearers of the Association or as Ordinary Committee Members:
  - 37.1 must be made in writing on the nomination form, signed by two (2) financial members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the prescribed nomination form); and
  - 37.2 must be delivered to the Secretary not less than 7 days before the date fixed for the Annual General Meeting at which the election is scheduled to take place.
38. If insufficient nominations are received to fill all vacancies on the Executive Committee, the candidates nominated are taken to be elected and further nominations may be received at the Annual General Meeting.
39. If insufficient further nominations are received, any vacant positions remaining on the Executive Committee are taken to be vacancies.
40. If the number of nominations received is equal to the number of vacancies to be filled, the people nominated are taken to be elected.
41. If the number of nominations received exceeds the number of vacancies to be filled, a ballot must be held.
42. The ballot for the election of Office Bearers and Ordinary Committee Members must be conducted at the Annual General Meeting in the way the Executive Committee directs.
43. A person is not eligible to simultaneously hold more than one (1) position on the Executive Committee.
44. If there is a vacancy in the membership of the Executive Committee, the Executive Committee may appoint a member of the Association to fill the vacancy and the member so appointed holds office, subject to these Rules, until the conclusion of the next Annual General Meeting after the date of the appointment.
45. Each Office Bearer of the Executive Committee shall hold office, subject to these Rules, for a term of two (2) years but shall be eligible to be re-elected for a further term or terms. The Chair may serve a maximum of two consecutive terms unless the Executive Committee recommends to an Annual General Meeting of members that the current Chair may be eligible to seek nomination as a candidate for a further term.
46. Each Ordinary Committee Member of the Executive Committee shall hold office, subject to these Rules, for a term of two (2) years but shall be eligible to be re-elected for a further term or terms.

## **Secretary**

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47. The Secretary must keep minutes of:
  - 47.1 all elections and appointments of Office Bearers and Ordinary Committee Members; and
  - 47.2 the names of members of the Executive Committee present at an Executive Committee meeting or a general meeting; and

- 47.3 all proceedings at Executive Committee meetings and general meetings.
48. Minutes of proceedings at a meeting must be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.

### **Treasurer**

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49. The Treasurer must:
- 49.1 collect and receive all amounts owing to the Association and make all payments authorised by the Association; and
  - 49.2 keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

### **Public Officer**

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50. The Public Officer shall carry out his duties in accordance with the Act.

### **Vacancies**

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51. For these Rules, a vacancy in the office of a member of the Executive Committee happens if the member:
- 51.1 dies; or
  - 51.2 ceases to be a member of the Association; or
  - 51.3 resigns the office; or
  - 51.4 is removed from office pursuant to these Rules or the Act; or
  - 51.5 becomes bankrupt under the Bankruptcy Act or insolvent under administration within the meaning of the Corporations Act; or
  - 51.6 suffers from mental or physical incapacity; or
  - 51.7 is disqualified from office under the Act; or
  - 51.8 is absent without the consent of the Executive Committee from all meetings of the Executive Committee held during a period of 6 months; or
  - 51.9 has, in the opinion of the Executive Committee, a conflict of interest in acting as a member of the Executive Committee.

### **Removal of Executive Committee members**

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52. The Association in a general meeting may by resolution, subject to the Act, remove any member of the Executive Committee from the office of member of the Executive Committee before the end of the member's term of office.

## **Executive Committee meetings**

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53. The Executive Committee must meet at least 3 times in each calendar year at the place and time that the Executive Committee may decide.
54. Additional meetings of the Executive Committee may be called [any member of the Executive Committee](#).
55. Oral or written notice of a meeting of the Executive Committee must be given by the Secretary to each member of the Executive Committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the Executive Committee) before the time appointed for the holding of the meeting.
56. Notice of a meeting given under Rule 55 must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except business that the Executive Committee members present at the meeting unanimously agree to treat as [urgent](#) business.
57. Any five (5) members of the Executive Committee constitute a quorum for the transaction of the business of a meeting of the Executive Committee.
58. No business may be transacted by the Executive Committee unless a quorum is present and, if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
59. If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting is dissolved.
60. At meetings of the Executive Committee:
  - 60.1 the Chair or, in the absence of the Chair, the Deputy-Chair chosen by the Executive Committee presides; or
  - 60.2 if the Chair and the Deputy-Chairs are absent or decline to preside, one of the remaining members of the Executive Committee may be chosen by the members present to preside.

## **Delegation by Executive Committee to sub-committee**

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61. The Executive Committee may, in writing, delegate to one or more sub-committees (consisting of the member or members of the Association that the Executive Committee considers appropriate) the exercise of the functions of the Executive Committee that are specified in the instrument, other than:
  - 61.1 this power of delegation; and
  - 61.2 a function that is a function imposed on the Executive Committee by the Act, by any other Territory law, or by resolution of the Association in general meeting.
62. A function, the exercise of which has been delegated to a sub-committee under these Rules may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
63. A delegation under these Rules may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, which may be specified in the instrument of delegation.



64. Despite any delegation under these Rules, the Executive Committee may continue to exercise any function delegated.
65. Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under these Rules has the same force and effect as it would have if it had been done or suffered by the Executive Committee.
66. The Executive Committee may, in writing, revoke wholly or in part any delegation under these Rules.
67. A sub-committee may meet and adjourn, as it considers appropriate.

## **Voting and decisions**

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68. Questions arising at a meeting of the Executive Committee or of any sub-committee appointed by the Executive Committee are decided by a majority of the votes of members of the Executive Committee or sub-committee present at the meeting.
69. Each member present at a meeting of the Executive Committee or of any sub-committee appointed by the Executive Committee (including the person presiding at the meeting) is entitled to one vote but, if the votes on any question are equal, the person presiding may exercise a second or casting vote.
70. Subject to Rule 57 above, the Executive Committee may act despite any vacancy on the Executive Committee.
71. Any act or thing done or suffered, or purporting to have been done or suffered, by the Executive Committee or by a sub-committee appointed by the Executive Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment of any member of the Executive Committee or sub-committee.

## **Part 6 General meetings**

### **Annual general meetings—holding of**

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72. The Association must, at least once in each calendar year and within five (5) months after the end of each financial year of the Association, call an Annual General Meeting of its members.
73. The Association must hold its first Annual General Meeting:
  - 73.1 within eighteen (18) months after its incorporation under the Act; or
  - 73.2 within five (5) months after the end of the first financial year of the Association.
74. Rules 72 and 73 have effect subject to the powers of the Registrar-General under the Act in relation to extensions of time.

## **Annual General Meetings – calling of and business at**

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75. The Annual General Meeting of the Association must, subject to the Act, be called on the date and at the place and time that the Executive Committee considers appropriate.
76. In addition to any other business that may be transacted at an Annual General Meeting, the business of an Annual General Meeting is:
  - 76.1 to confirm the minutes of the last Annual General Meeting and of any general meeting held since that meeting; and
  - 76.2 to receive from the Executive Committee reports on the activities of the Association during the last financial year; and
  - 76.3 subject to the term of the members of the Executive Committee to elect members of the Executive Committee, including Office Bearers; and
  - 76.4 to receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act.
77. An Annual General Meeting must be specified as such in the notice calling it.
78. An Annual General Meeting must be conducted in accordance with these Rules.

## **General meetings—calling of**

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79. The Executive Committee may, whenever it considers appropriate, call a general meeting of the Association.
80. The Executive Committee must, on the requisition in writing of not less than ten (10) Full Members, call a general meeting of the Association.
81. A requisition of members for a general meeting:
  - 81.1 must state the purpose or purposes of the meeting; and
  - 81.2 must be signed by the members making the requisition; and
  - 81.3 must be lodged with the Secretary; and
  - 81.4 may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
82. If the Executive Committee fails to call a general meeting within one (1) month after the date when a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may call a general meeting to be held not later than 2 months after that date.
83. A general meeting called by a member or members mentioned in Rule 82 above must be called as nearly as is practicable in the same way as general meetings are called by the Executive Committee.

## **Notice**

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84. Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary must, at least **fourteen (14)** days before the date fixed for the holding of the general meeting, send by prepaid post/or electronic media if this is the preferred option, to each

member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

85. If the nature of the business proposed to be dealt with at a general meeting requires a **special resolution** of the Association, the Secretary must, at least **twenty one (21)** days before the date fixed for the holding of the general meeting, send notice to each member in the way provided in Rule 84 above specifying, in addition to the matters required under that Rule, the intention to propose the resolution as a special resolution.
86. No business other than that specified in the notice calling a general meeting may be transacted at the meeting.
87. A member desiring to bring any business before a general meeting must give written notice of that business to the Secretary at least **thirty (30)** days prior to a general meeting and the Secretary must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

### **General meetings—procedure and quorum**

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88. No item of business may be transacted at a general meeting unless a quorum of members entitled under these Rules to vote is present during the time the meeting is considering that item.
89. Whichever is the lower, fifteen (15) members or twenty five percent (25%) of members who are entitled under these Rules to vote at a general meeting, constitute a quorum for the transaction of the business of a general meeting.
90. If within 30 minutes after the appointed time for the start of a general meeting a quorum is not present, the meeting if called on the requisition of members is dissolved and in any other case stands adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
91. If at the adjourned meeting a quorum is not present within thirty (30) minutes after the time appointed for the start of the meeting, the Full Members present (being not less than 10) constitute a quorum.

### **Presiding member**

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92. At a general meeting:
  - 92.1 the Chair presides. If the Chair is absent or declines to preside, the Deputy-Chair chosen by the members, presides at each general meeting of the Association;
  - 92.2 if the Deputy Chair chosen by the members declines to preside then the other Deputy Chair presides;
  - 92.3. if the Chair and the Deputy-Chairs are absent from a general meeting or decline to preside, the members may choose a member of the Executive Committee present to preside.

## **Adjournment**

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93. The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting and the adjourned meeting will be convened in seven (7) days time at the same place and same time, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
94. If a general meeting is adjourned for fourteen (14) days or more, the Secretary must give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
95. Except as provided in Rules 93 and 94 above, notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## **Making of decisions**

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96. A question arising at a general meeting of the Association is to be decided on a show of hands and, unless before or on the declaration of the show of hands a Poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
97. At a general meeting of the Association, a Poll may be demanded by the person presiding or by not less than three (3) Full Members present in person at the meeting.
98. If a Poll is demanded at a general meeting, the Poll must be taken:
  - 98.1 immediately, if the Poll relates to the election of the person to preside at the meeting or to the question of an adjournment; or
  - 98.2 in any other case, in the way and at the time before the close of the meeting that the person presiding directs, and the resolution of the Poll on the matter is taken to be the resolution of the meeting on that matter.

## **Voting**

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99. On any question arising at a general meeting of the Association, a member that is entitled to vote, has one vote only.
100. All votes must be given personally.
101. If the votes on a question at a general meeting are equal, the person presiding is entitled to exercise a second or casting vote.
102. A member is not entitled to vote at any general meeting of the Association unless all money due and payable by the member to the Association has been paid.

## **Part 7    Miscellaneous**

### **Funds—source**

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103. The funds of the Association shall be derived from annual membership fees, donations, government grants and, subject to any resolution passed by the Association in general meeting and subject to the Act, any other sources that the Executive Committee decides.
104. All money received by the Association must be deposited as soon as practicable and without deduction to the credit of the Association's bank account.
105. The Association must, as soon as practicable after receiving any money, issue an official receipt.

### **Funds—management**

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106. Subject to any resolution passed by the Association in general meeting, the funds of the Association must be used for the objects of the Association in the way that the Executive Committee decides.
107. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the Executive Committee who are authorised signatories to the bank account of the Association.

### **Alteration of Objects and Rules**

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108. Neither the objects of the Association nor these Rules may be altered except in accordance with the Act.

### **Common seal**

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109. The common seal of the Association must be kept in the custody of the Secretary.
110. The common seal must not be attached to any instrument except by the authority of the Executive Committee and the attaching of the common seal must be attested by the signatures of two members of the Executive Committee.

### **Custody of books**

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111. Subject to the Act, the regulation and these Rules, the Secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the Association.

## **Inspection of books**

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112. The records, books and other documents of the Association must be open to inspection at a place in the ACT, free of charge, by a member of the Association at any reasonable hour.

## **Service of notice**

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113. Under these Rules, a notice may be served by or on behalf of the Association on any member either:
- 113.1 personally; or
  - 113.2 by sending it by post to the member at the member's address shown in the register of members; or
  - 113.3 by email.
114. If a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document is taken for these Rules, unless the contrary is proved, to have been served on the person at the time when the letter would have been delivered in the ordinary course of post.
115. If a document is sent to a person by email, the document is taken for these Rules, unless the contrary is proved, to have been served on the person at the time the email was sent by the Association.

## **Surplus property**

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116. At the first general meeting of the Association, the Association must pass a special resolution nominating:
- 116.1 another association; or
  - 116.2 a fund, authority or institution;
- in which it must vest its surplus property in the event of the dissolution or winding up of the Association.
117. An association nominated under Rule 116.1 must have similar objects to the objects specified in these Rules, must be a "not-for-profit" organisation and fulfil the requirements specified in the Act.

Notes:

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Amendments:

AGM 30 <sup>th</sup> October 2008	8.1.4	deleted and substituted with new rule 8.14.
AGM 11 <sup>th</sup> November 2009	10.0	amended with new rule 10.
	45.0	deleted and substituted with new rule 45.
SGM 26 <sup>th</sup> October 2011	8.4	add new membership category
	18.0	Add new wording to include new rule
	21.4.1	Add new rule
	45.	Amend rule
	46.	Amend wording of rule
	89.	Amend wording of rule