

RULES OF ASSOCIATION

Community Support Frankston Incorporated

Registration No. A0000431J

Australian Business Number: 95 426 151 625

Rules of Community Support Frankston Incorporated

Table of Contents

1. Name	3
2. Statement of Purposes	3
3. Definitions	3
4. Alteration of the Rules	4
5. Membership and subscription	4
6. Register of members	6
7. Ceasing membership	6
8. Discipline, suspension and expulsion of members	6
9. Disputes and mediation	8
10. Annual general meetings	9
11. Special general meetings	9
12. Special business	10
13. Notice of general meetings	10
14. Quorum at general meetings	10
15. Presiding at general meetings	11
16. Adjournment of meetings	11
17. Voting at general meetings	11
18. Poll at general meetings	11
19. Manner of determining whether resolution carried	12
20. Proxies	12
21. Board of Management	12
22. Office holders, ordinary and co-opted board members	13
23. Election of board members and officers	13
24. Vacancies	14
25. Meetings of the board	14
26. Notice of board meetings	14
27. Quorum for board meetings	15
28. Presiding at board meetings	15
29. Voting at board meetings	15
30. Removal of board member	15
31. Minutes of meetings	16
32. Funds	16
33. Seal	16
34. Notice to members	16
35. Auditor	17
36. Sub-committees	18
37. Auxiliaries	18
38. Distribution of assets	18
39. Winding up	18
40. Custody and inspection of books and records	18
41. Staff	19
42. Certificate	19
Appendix 1 - Membership Application Form	20

RULES OF COMMUNITY SUPPORT FRANKSTON INCORPORATED

Incorporation Registration No: A0000431J
Australian Business Number: 59 426 151 625

1. Name

The name of the Incorporated Association is COMMUNITY SUPPORT FRANKSTON.

2. Statement of Purposes

(1) Community Support Frankston Incorporated is a non-profit Association whose purposes are to:

- (a) provide direct aid for the residents of Frankston City in need of relief from poverty, sickness, suffering, distress, misfortune, destitution or helplessness.
- (b) respond to the needs of local residents by offering a range of information and support services most of which can be provided capably by trained community volunteer workers.
- (c) encourage the interest, and provide opportunities for residents of Frankston to become involved in providing services and addressing community issues.
- (d) contribute to the development of Frankston by working in partnership with other local groups and organisations on community projects, services and activities.
- (e) make representation to governments, other organisations and the community on behalf of individuals and groups whose needs are not being met adequately by current services.

(2) Solely for the purpose of furthering those purposes set out above, the Association shall have power to:

- (a) delegate in writing the exercise of all and any of the powers or discretionary authorities hereby conferred on the Association and to execute any Powers of Attorney or other instruments necessary to effect such a delegation;
- (b) act as trustee;
- (c) accept and hold upon trust real and personal property;
- (d) do all other things that are incidental or conducive to the attainment of the purposes and the exercises of the powers of the Association.

3. Definitions

In these Rules, unless the contrary intention appears –

“**Act**” means the **Associations Incorporation Reform Act 2012** and any amendment thereto;

“**Regulations**” means regulations under the Act;

“**Association**” used throughout these Rules means Community Support Frankston Incorporated;

“**financial year**” means the year ending on 30 June;

“**general meeting**” means a general meeting of members convened in accordance with these Rules;

“**board**” means the Board of Management of the Association elected in accordance with the provisions of these Rules;

“**member**” means those persons afforded membership in accordance with these Rules;

“**relevant documents**” has the same meaning as in the Act;

“**ordinary member of the board**” means a member of the board who is not an officer of the Association under Rule 22.

4. Alteration of the Rules

(1) Alterations to these Rules or to the Statement of Purpose may be made by special resolution and any such alteration shall not take effect unless and until it is submitted to the Registrar in accordance with the Act and approved by the Registrar.

(2) A special resolution is passed at a meeting if –

(a) of the entitled members of the Association who vote in person, not less than three quarters vote in favour of the resolution; and

(b) any additional requirements of the Rules of the Association relating to the passing of a special resolution have been met.

(3) A resolution is not to be considered to have been passed as a special resolution under sub-section 2(b) unless not less than 21 days notice has been given in accordance with the Rules to all entitled members of the Association specifying the intention to propose the resolution as a special resolution.

(4) At any meeting at which a special resolution is submitted, a declaration by the person presiding that the resolution has been carried is conclusive proof of the fact unless a poll is demanded.

(5) In this section “entitled member” means a member of the Association who is entitled under the Rules of the Association to vote.

5. Membership and subscription

(1) (a) A person who is 18 years of age and over, and who is nominated and approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the annual subscription payable under these Rules.

(b) A person who is a paid employee at Community Support Frankston for a period in excess of 30 consecutive days shall be ineligible to be a member of the Association for as long as that person remains in such paid employment.

(2) A person must not be admitted to membership unless –

(a) he or she applies for membership in accordance with sub-rule (3); and

- (b) the admission as a member is approved by the board.
- (3) An application of a person for membership of the Association must –
- (a) be made in writing in the form set out in Appendix 1; and
 - (b) be lodged with the Secretary of the Association.
- (4) As soon as is practicable after the receipt of the application, the Secretary shall refer the nomination to the board.
- (5) Upon a nomination being referred to the board, the board shall determine whether to approve or to reject the nomination.
- (6) Upon a decision being made by the board the Secretary shall, with as little delay as possible, notify the nominee in writing of the decision. If the nomination for membership of the Association is approved, payment is to be requested within the period of 28 days after receipt of notification of the sum payable under these Rules as the first year's subscription. Should the payment not be paid within 28 days, the application for membership will lapse.
- (7) The Secretary must, within 28 days after receipt of the amount referred to in sub-rule (6), enter the applicant's name in the register of members.
- (8) An applicant for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered in the register of members.
- (9) A right, privilege, or obligation of a person by reason of his/her membership of the Association–
- (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon the cessation of his/her membership whether by death or resignation or otherwise.
- (10) The annual subscription shall be suggested by the board, notice of which shall be provided to members at least 21 days prior to the annual general meeting for approval or amendment by members at the annual general meeting. The annual subscription is payable in advance on or before the first day of July in each year.
- (a) Should the annual subscription not be paid by the due date, the member's name shall be kept in the register of members; however the member shall have no privileges of membership until the annual subscription has been paid.
 - (b) Should the annual subscription remain outstanding for one year, the member's name shall be removed from the register of members.
- (11) Life Members and Honorary Members
- (a) Any member who has performed outstanding service to the Association over a number of years, may, if so decided by a majority of the members, be elected a Life Member with all the privileges of membership.

- (b) Any person who has performed outstanding service to the Association over a number of years may, if so decided by the majority of the members, be elected an Honorary Member with all the privileges of membership. Any person so elected as an Honorary Member shall have their Honorary Membership reviewed annually.
- (c) Any person who has been elected as a Life Member or an Honorary Member shall have their annual subscription waived.
- (d) Any person who is ineligible to be a member of the Association by virtue of Rule 5 (1)(b) and who has provided outstanding service to the Association over a number of years may, if so decided by a majority of the members, be elected an Honorary Life Member. When ineligibility under Rule 5 (1)(b) no longer applies, that person shall become a Life Member with all the privileges of membership.

6. Register of members

- (1) The Secretary must keep and maintain a register of members containing –
 - (a) the name and address of each member; and
 - (b) the date on which each member's name was entered in the register.
- (2) The register is available for inspection free of charge by any member upon request.
- (3) A member may make a copy of entries in the register.

7. Ceasing membership

- (1) A member of the Association who has paid all monies due and payable by him or her to the Association may resign from the Association by first giving one month's notice in writing to the Secretary of his or her intention to resign.
- (2) After the expiry of the period referred to in sub-rule (1) –
 - (a) the member ceases to be a member; and
 - (b) the Secretary must record in the register of members the date on which the member ceased to be a member.

8. Discipline, suspension and expulsion of members

- (1) Subject to these Rules, the board may by resolution –
 - (a) expel a member from the Association; or
 - (b) suspend a member from membership of the Association for a specified period if the board is of the opinion that the member –
 - (i) has refused or neglected to comply with these Rules; or
 - (ii) has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association.

- (2) A resolution of the board under sub-rule (1) does not take effect unless –
- (a) at a meeting held in accordance with sub-rule (3) the board confirms the resolution; and
 - (b) if the member exercises a right to appeal to the Association under this Rule, the Association confirms the resolution in accordance with this Rule.
- (3) A meeting of the board to confirm or revoke a resolution passed under sub-rule (1) must not be held earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with sub-rule (4).
- (4) For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be given to the member a notice in writing –
- (a) setting out the resolution of the board and the grounds on which it is based; and
 - (b) stating that the member, or his or her representative, may address the board at a meeting to be held not earlier than 14 days, and not later than 28 days, after the service of the notice; and
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that he or she may do one or both of the following –
 - (i) attend that meeting;
 - (ii) give to the board before the date of that meeting a written statement seeking the revocation of the resolution.
 - (e) informing the member that, if at that meeting, the board confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- (5) At a meeting of the board to confirm or revoke a resolution passed under sub-rule (1) the board must –
- (a) give the member, or his or her representative, an opportunity to be heard; and
 - (b) give due consideration to any written statement submitted by the member; and
 - (c) determine by resolution whether to confirm or to revoke the resolution.
- (6) If at the meeting of the board, the board confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the Association in general meeting against the resolution.
- (7) Where the Secretary receives a notice under sub-rule (6), he or she must notify the board and the board must convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.

(8) At a general meeting of the Association convened under sub-rule (7) –

- (a) no business other than the question of the appeal shall be conducted; and
- (b) the board may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
- (c) the member or his or her representative must be given an opportunity to be heard; and
- (d) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.

(9) A resolution is confirmed; if, at the general meeting, not less than three quarters of the members present vote in person in favour of the resolution. In any other case, the resolution is revoked.

9. Disputes and mediation

(1) The grievance procedure set out in this Rule applies to disputes under these Rules between

- (a) a member and another member; or
- (b) a member and the Association.

(2) The parties to the dispute must meet and discuss the matter in dispute, and if possible, resolve the dispute within fourteen days after the dispute comes to the attention of all parties.

(3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within ten days, hold a meeting in the presence of a mediator.

(4) The mediator must be –

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement –

- (i) in the case of a dispute between a member and another member, a person appointed by the board of the Association; or

- (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

(5) A member of the Association can be a mediator.

(6) The mediator cannot be a member who is a party to the dispute and must be unbiased.

- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must –
- (a) give the parties to the mediation process every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

10. Annual general meetings

- (1) The annual general meeting of members shall be held on such day between the first day of July and the 30th day of November as shall be fixed by the board, at a place to be determined by the board.
- (2) The notice convening the annual general meeting must specify that the meeting is an annual general meeting.
- (3) The ordinary business of the annual general meeting shall be –
- (a) to confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
 - (b) to receive from the board reports upon the transactions of the Association during the last preceding financial year; and
 - (c) to elect members of the board; and
 - (d) to receive and consider the report of the board and the audited financial statements of accounts in accordance with section 30(3) of the Act.
- (4) The annual general meeting may conduct any special business of which at least seven days notice has been given.

11. Special general meetings

- (1) If required by the board, or at least ten members of the Association, the Secretary shall convene a special general meeting, the occasion for calling such meeting being stated in such requisition, and no business shall be transacted at such special general meeting excepting that for which it was summoned and the confirmation of the minutes of any previous special general meeting.
- (2) The request for a special general meeting must –

- (a) state the objects of the meeting; and
- (b) be signed by the members requesting the meeting; and
- (c) be sent to the address of the Secretary.

(3) If the board does not cause a special general meeting to be held within one month after the date on which the request is sent to the address of the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than three months after that date.

(4) If a special general meeting is convened by members in accordance with this Rule, it must be convened in the same manner so far as possible as a meeting convened by the board and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring these expenses.

12. Special business

All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under these Rules as ordinary business of the annual general meeting, is deemed to be special business.

13. Notice of general meetings

(1) The Secretary of the Association, at least 14 days, or if a special resolution has been proposed, at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association a notice stating the place, date and time of the meeting and the nature of the business to be conducted at that meeting.

(2) Notice of a general meeting shall be given in accordance with Rule 34.

(3) No business other than that set out in the notice convening the meeting may be conducted at the meeting.

(4) A member intending to bring any business before a meeting may notify the Secretary of that business in writing, or by electronic transmission. The Secretary must include that business in the notice calling the next general meeting.

14. Quorum at general meetings

(1) No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.

(2) Not less than 20% of the membership (being members entitled under these Rules to vote at a general meeting) must be personally present to constitute a quorum for the conduct of the business of a general meeting.

(3) If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present –

(a) In the case of a meeting convened upon the request of members – the meeting must be dissolved; and

(b) In any other case – the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the chair at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 10) shall be a quorum.

15. Presiding at general meetings

At every general meeting the Chair, or in his or her absence, a Vice-Chair shall preside but if none of these office-bearers is present, the members present shall choose one of their numbers to preside at that meeting.

16. Adjournment of meetings

(1) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.

(2) No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.

(3) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with Rule 13.

(4) Except as provided in sub-rule (3), it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

17. Voting at general meetings

(1) Upon any question arising at a general meeting of the Association, a member has one vote only.

(2) All votes must be given personally.

(3) In the case of an equality of voting on a question, the person presiding at the meeting is entitled to exercise a second or casting vote.

(4) A member is not entitled to vote at a general meeting unless all monies due and payable by the member to the Association have been paid.

18. Poll at general meetings

(1) If, at a meeting of members, a majority of those present and qualified to vote demand a poll on any resolution, it must be taken at that meeting in such manner as the person

presiding may direct, and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.

(2) A poll that is demanded on the election of a person to preside or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the person presiding may direct.

19. Manner of determining whether resolution carried

If a question arising at a general meeting of the Association is determined on a show of hands –

(a) a declaration by the person presiding that a resolution has been –

(i) carried; or

(ii) carried unanimously; or

(iii) carried by a particular majority; or

(iv) lost; and

(b) 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.

20. Proxies

No member of the Association is permitted to vote by proxy.

21. Board of Management

(1) The affairs of the Association shall be managed by the Board of Management.

(2) The board –

(a) shall control and manage the business and affairs of the Association; and

(b) may, subject to these Rules, the Act, and the Regulations exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the Association; and

(c) has power to perform all such acts and things as appear to the board to be essential for the proper management of the business and affairs of the Association.

(3) Subject to section 23 of the Act, the board shall consist of nine members of the Association elected from amongst their number. Each board member shall hold office for three years after the date of their election unless subject to the provision of Rule 23(7) for filling of a vacancy. The board shall consist of the following –

- (a) the officers of the Association; and
 - (b) four ordinary members.
- (4) The Centre Manager shall sit on the board ex officio with no voting rights.

22. Office holders, ordinary and co-opted board members

(1) The officers of the Association shall be –

- (a) a Chair;
- (b) two Vice-Chairs
- (c) a Treasurer; and
- (d) a Secretary.

(2) If the position of Secretary becomes vacant, the board must appoint a member to the position within 14 days after the vacancy arises.

(3) Each officer of the Association shall hold office until the annual general meeting next after the date of his or her election but is eligible for re-election subject to the provisions of Rule 23.

(4) In the event of a casual vacancy in any office referred to in sub-rule (1) or of an ordinary member of the Board of Management, the board may appoint a member of the Association to fill the vacancy, and the member appointed may continue as a member of the board up to and including the conclusion of the annual general meeting next following the date of the appointment.

(5) The board shall have the power to co-opt suitable persons to serve on the board for a limited time to be decided by the board and such co-opted persons shall not be entitled to vote on any issue to be decided by the board.

23. Election of board members and officers

(1) Nominations of candidates for election as members of the board must be –

- (a) made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
- (b) delivered to the Secretary of the Association not less than seven days before the date fixed for the holding of the annual general meeting.

(2) A candidate may only be nominated as a member of the board prior to the annual general meeting.

(3) If insufficient nominations are received to fill all vacancies on the board, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.

(4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

(5) If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.

(6) The ballot for the election of members of the board must be conducted at the annual general meeting in such manner as the board may direct.

(7) Where a member is elected to fill a vacancy on the board, that member shall be elected for the remainder of the term of the vacancy.

(8) The board shall, at its first meeting following the annual general meeting in each year, elect from its members a Chair, two Vice-Chairs, a Treasurer and a Secretary.

24. Vacancies

The office of an officer of the Association, or an ordinary member of the board, becomes vacant if that member –

(a) ceases to be a member of the Association; or

(b) becomes an insolvent under administration within the meaning of the Corporations Act; or

(c) resigns his or her office by notice in writing given to the Secretary; or

(d) is absent for three consecutive board meetings without acceptable reason.

25. Meetings of the board

(1) The board should meet at least nine times in each year at such time and at such place as the board may determine.

(2) Special meetings of the board may be convened by the Chair or any three members of the board.

26. Notice of board meetings

(1) Written notice of each board meeting must be given to each member of the board at least seven days before the date of the meeting.

(2) Written notice must be given to members of the board of any special meeting specifying the general nature of the business to be conducted and no other business may be conducted at such a meeting.

27. Quorum for board meetings

- (1) Any five elected or appointed members of the board constitute a quorum for the conduct of the business of a meeting of the board.
- (2) No business may be conducted unless a quorum is present.
- (3) If within half an hour of the time appointed for the meeting a quorum is not present –
 - (a) in the case of a special meeting – the meeting lapses; or
 - (b) in any other case – the meeting shall stand adjourned to the same place and the same time and day in the following week.
- (4) The board may act notwithstanding any vacancy on the board.

28. Presiding at board meetings

At meetings of the board –

- (a) the Chair or, in the Chair's absence, a Vice-Chair presides; or
- (b) if the Chair and the Vice-Chairs are absent, or are unable to preside, the members present must choose one of their number to preside.

29. Voting at board meetings

- (1) Questions arising at a meeting of the board, or at a meeting of any sub-committee appointed by the board, shall be determined on a show of hands or, if a member requests, by a poll taken in such a manner as the person presiding at that meeting may determine.
- (2) Each member present at a meeting of the board, or at a meeting of any sub-committee appointed by the board (including the person presiding at the meeting), is entitled to vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

30. Removal of board member

- (1) The Association in a general meeting may, by resolution, remove any member of the board before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.
- (2) A member who is the subject of a proposed resolution referred to in sub-clause (1) may make representations in writing to the Secretary or Chair of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- (3) The Secretary or the Chair may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting.

31. Minutes of meetings

The Secretary of the Association must keep minutes of the resolutions and proceedings of each general meeting and each board meeting, together with a record of the names of persons present at board meetings.

32. Funds

(1) The Treasurer of the Association must –

- (a) collect and receive all monies due to the Association and make all payments authorised by the Association; and
- (b) keep correct accounts and records showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association in accordance with the *Australian Accounting Standards*; and
- (c) maintain a separate gift fund to be known as the Community Support Frankston Gift Fund comprising only gifts of money and property received and used solely for the principal purposes of the Association. Only gifts of money and property received by the Association shall be credited to the Gift Fund. A bank account will be established for gifts of money received by the Association.

(2) All accounts shall be paid by cheque or by electronic transfer and no payments shall be made without the authority of the committee.

(3) All cheques drawn must be signed by those persons authorised by the board.

(4) The funds of the Association shall be derived from annual subscriptions, grants, donations and such other sources as the board determines.

(5) Monies held by the Association shall be invested at the discretion of the Board of Management.

(6) Such monies shall not be invested in any enterprise or financial institution otherwise than is authorised by law for the investment of trust funds, in particular according to the standards outlined in Section 6 of the Trustee Act (1958).

33. Seal

(1) The Common Seal of the Association shall be kept in the custody of the Secretary.

(2) The Common Seal must not be affixed to any instrument except by the authority of the board and the affixing of the Common Seal must be attested by the signatures of two members of the board.

34. Notice to members

Any notice that is required to be given to a member, by or on behalf of the Association, under these Rules may be given by –

- (a) delivering the notice to the member personally; or

- (b) sending it by prepaid post addressed to the member at that member's address shown in the register of members; or
- (c) facsimile transmission; or
- (d) electronic transmission.

35. Auditor

- (1) An Auditor or Auditors shall be appointed at the annual general meeting each year and shall hold office until the next annual general meeting. In the event of a casual vacancy in the office of Auditor, the board may temporarily appoint to such office some person qualified to hold same; and the person so appointed may continue in office until immediately before the next annual general meeting.
- (2) An Auditor shall be a member of the Institute of Chartered Accountants in Australia or the Australian Society of Accountants or any body prescribed in Section 9 of the Corporations Law or any amendment thereto, preference in appointment being given to a person registered as a Company Auditor under Section 9 of that Law.
- (3) An examination of the accounts and records shall be undertaken in the period of the first day of July to thirtieth day of August in each year, when the Auditor shall complete the audit program relating to the financial year which expired on the thirtieth day of June immediately preceding.
- (4) The Auditor shall have access to the books and accounts of the Association at all times during the audit and shall make such reports as he or she considers necessary direct to the board.
- (5) The Auditor shall make a report to members in a general meeting and to the committee on every balance sheet and statement of income and expenditure laid before such general meeting during his/her term of office and shall state in his/her report whether in his/her opinion –
 - (a) the balance sheet (with notes thereto) and statement of income and expenditure are properly drawn up so as to give a true and fair view of the state of the Association's financial affairs at the 30th day of June (or other date appropriate to the period covered by such balance sheet and statement) and of the financial results of its services for the period ended on that date; and
 - (b) the accounting and other records examined by him or her have been properly maintained.
- (6) The Auditor may, if he or she considers it desirable to do so, make a report direct to the members in a general meeting on any other matter coming within the scope of his/her duties. When the Auditor makes such a report, he or she shall at the same time submit a copy hereof to the board for information.

36. Sub-committees

The board may at any time appoint any sub-committee (consisting of members of the Association) as they may think fit and may prescribe the functions of any such sub-committee. The board shall have the power to co-opt suitable persons to serve on a sub-committee and any such co-opted person shall be entitled to vote on any issue to be decided by the sub-committee. Any sub-committee so formed must have a member of the board as its chair and the quorum for meetings of sub-committees shall be two-thirds of its members.

37. Auxiliaries

- (1) The board may at any time appoint Auxiliaries for the raising of funds for the purposes of the Association.
- (2) The purposes to which funds raised by such Auxiliaries are applied shall be decided by the board.
- (3) The board shall determine the policies and Rules of authorised Auxiliaries, including Rules for the appointment of an Auditor and provision of reports (at least annually) to the board.

38. Distribution of assets

The assets and income of the Association shall be applied solely in furtherance of its purposes and no portion shall be distributed directly or indirectly to its members except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

39. Winding up

If, at any annual or other general meeting of members, a resolution for the dissolution of the Association (whereof all members shall have had at least the notice prescribed by the Act) shall be passed by a majority of at least three-quarters of the members then present, the Association shall then be wound up in accordance with the Act. Such resolution must specify that the net assets remaining after the payment of all liabilities will only be transferred to such funds, authorities or institutions approved by the Commissioner of Taxation or Deputy Commissioner for the purposes of any of the items of the tables of sub-section 78(4) of the *Income Tax Assessment Act 1936* or any enactment or re-enactment thereof.

40. Custody and inspection of books and records

- (1) Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.
- (2) All accounts, books, securities, minutes of meetings and any other relevant documents of the Association must be available as of right for inspection free of charge by any member upon request.

(3) Subject to the provisions of the *Privacy Act 1988 (Cwth)* and the *Information Privacy Act 2000 (Vic)* and any amendments thereto, a member may make a copy of any accounts, books, securities and any other relevant documents of the Association.

41. Staff

Salaried staff employed by an outside body shall be appointed according to such terms and conditions as mutually agreed upon by the employing body and the Board of Management.

42. Certificate

We, the undersigned, being the Chair and Secretary respectively of COMMUNITY SUPPORT FRANKSTON INCORPORATED certify that these Rules are the Rules of the Association, which were approved at a general meeting of the members held on 31 October 2013.

(signed) John Tame, Chair

(signed) Stewart Harkness, Secretary

31 October 2013

Appendix 1 - Membership Application Form

APPLICATION FOR MEMBERSHIP OF COMMUNITY SUPPORT FRANKSTON INCORPORATED

I, (name),

of(address) desire to become a member of Community Support Frankston Incorporated. In the event of my admission as a member, I agree to be bound by the Rules of the Association.

Signature of Applicant Date

I, (name), a member of Community Support Frankston Incorporated, nominate the applicant, who is personally known to me, for membership of the Association.

Signature of Proposer Date

I, (name), a member of Community Support Frankston Incorporated, second the nomination of the applicant, who is personally known to me, for membership of the Association.

Signature of Secunder Date