

CONSTITUTION

**Frankston Community Support and Information Centre
Incorporated**

Registration No. A0000431J

STATEMENT OF PURPOSES

OF

FRANKSTON COMMUNITY SUPPORT AND INFORMATION CENTRE INCORPORATED

Incorporation Registration No: A0000431J
Australian Business Number: 95 426 151 625

- (1) The Frankston Community Support and Information Centre 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.

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RULES
OF
FRANKSTON COMMUNITY SUPPORT AND INFORMATION CENTRE
INCORPORATED

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

1. Name

The name of the Incorporated Association is FRANKSTON COMMUNITY SUPPORT AND INFORMATION CENTRE.

2. Definitions

(1) In these Rules, unless the contrary intention appears–

“**Act**” means the ***Associations Incorporation Act 1981*** and any amendment thereto;

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

“**Association**” used throughout these Rules means the Frankston Community Support and Information Centre Incorporated;

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

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

“**committee**” means the committee 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 committee**” means a member of the committee who is not an officer of the Association under Rule 21.

(2) In these Rules, a reference to the Secretary of the Association is a reference–

(a) where a person is elected to the committee of management and holds office under these Rules as Secretary of the Association – to that person; and

(b) in any other case, to the public officer of the Association.

3. 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 twenty one 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 Chairman 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.

4. Membership and subscription

- (1) 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.
- (2) A person who is not a member of the Association at the time of Incorporation of the Association (or who was such a member at that time but has ceased to be a member) 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 committee.
- (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 committee.
- (5) Upon a nomination being referred to the committee, the committee shall determine whether to approve or to reject the nomination.
- (6) Upon a decision being made by the committee 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 committee, 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 1st 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 members, be elected an Honorary Member. Any person so elected as an Honorary Member shall have their Honorary Membership reviewed annually.
 - (c) Any person who has been appointed as a Life Member or an Honorary Member shall have their yearly annual subscription waived.

5. Register of members

- (1) The Secretary must keep and maintain a register of members containing—
 - (a) the full 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.

6. 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.

7. Discipline, suspension and expulsion of members

- (1) Subject to these Rules, the committee may by resolution—
 - (a) expel a member from the Association; or
 - (b) suspend a member from membership of the Association for a specified period; or
 - (c) fine a member an amount not exceeding \$500 if the committee 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 committee under sub-rule (1) does not take effect unless—
 - (a) at a meeting held in accordance with sub-rule (3) the committee 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 committee 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 committee and the grounds on which it is based; and
 - (b) stating that the member, or his or her representative, may address the committee 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 committee 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 committee 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 committee to confirm or revoke a resolution passed under sub-rule (1) the committee 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 committee, the committee 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 committee and the committee 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 committee 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 vote in person in favour of the resolution. In any other case, the resolution is revoked.

8. 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 committee 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.

- (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.

9. Annual general meetings

- (1) The annual general meeting of members shall be held on such day between the first day of July and the thirtieth day of November as shall be fixed by the committee, at a place to be determined by the committee.
- (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.
 - (b) to receive from the committee reports upon the transactions of the Association during the last preceding financial year; and
 - (c) to elect members of the committee; and
 - (d) to receive and consider the report of the committee 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.

10. Special general meetings

- (1) If required by the committee, or of 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, if any.
- (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 committee 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 3 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 committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring these expenses.

11. 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.

12. 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 33.
- (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.

13. 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 chairman 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.

14. Presiding at general meetings

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

15. 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 12.
- (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.

16. 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 Chairman of 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.

17. 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 Chairman 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 Chairman 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 Chairman may direct.

18. 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 Chairman 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.

19. Proxies

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

20. Committee of Management

- (1) The affairs of the Association shall be managed by the committee of management.
- (2) The committee—
 - (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 committee to be essential for the proper management of the business and affairs of the Association.
- (3) Subject to section 23 of the Act, the committee shall consist of nine members, comprising members elected from amongst their number and, subject to sub-rules (5) and (6) shall hold office for three years after the date of their election and shall consist of the following—
 - (a) the officers of the Association; and
 - (b) 4 ordinary members.
- (4) The Centre Manager shall be an Ex-officio member of the committee with no voting rights.
- (5) On the day of the annual general meeting of members to be held in 2003 to determine the persons to fill the vacant positions on the committee in respect of elected members, the members of the committee shall then determine by lot the members, who shall be entitled, subject to the Act and to these Rules, to serve as follows—
 - (a) for three years, three members;
 - (b) for two years, three members;
 - (c) for one year, three members.
- (6) Subject to the provisions of these Rules, on the day of the annual general meeting of members in each year, the following members of the committee shall retire from office but subject to the Act and to these Rules shall be eligible for re-election—

- (a) In the case of the annual general meeting held in 2004, the elected members appointed to serve for a period of office of one year in accordance with sub-rule (5)(c);
- (b) In the case of the annual general meeting to be held in 2005, the elected members appointed to serve for a period of office of two years in accordance with sub-rule (5)(b).
- (c) In case of the annual general meeting to be held in 2006, the elected members who have held office for a period of three years in accordance with sub-rule (5)(a).
- (d) Those members temporarily appointed by the committee to fill a casual vacancy as provided in sub-rule 21 (4) whose period of appointment to fill that vacancy has expired.

21. Office Holders, Ordinary and Co-opted Committee Members

- (1) The Officers of the Association shall be—
 - (a) a Chairman;
 - (b) 2 Vice Chairmen;
 - (c) a Treasurer; and
 - (d) a Secretary.
- (2) The provisions of Rule 22, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices referred to in sub-rule (1).
- (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.
- (4) In the event of a casual vacancy in any office referred to in sub-rule (1) or of an ordinary member of the Committee of Management, the committee may appoint a member of the Association to fill the vacancy, and the member appointed may continue as a member of the Committee up to and including the conclusion of the annual general meeting next following the date of the appointment.
- (5) The Committee shall have the power to co-opt suitable persons to serve on the Committee for a limited time to be decided by the Committee and such co-opted persons shall not be entitled to vote on any issue to be decided by the Committee.

22. Election of officers and ordinary committee members

- (1) Nominations of candidates for election as members of the committee 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 7 days before the date fixed for the holding of the annual general meeting.
- (2) A candidate may only be nominated as member of the committee, prior to the annual general meeting.

- (3) If insufficient nominations are received to fill all vacancies on the committee, 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 committee must be conducted at the annual general meeting in such manner as the committee may direct.
- (7) The committee shall, at its first meeting following the annual general meeting in each year, appoint from its members a Chairman, 2 Vice Chairmen, a Secretary and a Treasurer.

23. Vacancies

The office of an Officer of the Association, or an ordinary member of the committee, 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 meetings without acceptable reason.

24. Meetings of the committee

- (1) The committee must meet at least 10 times in each year at such time and at such place as the committee may determine.
- (2) Special meetings of the committee may be convened by the Chairman or any 3 members of the committee.

25. Notice of committee meetings

- (1) Written notice of each committee meeting must be given to each member of the committee at least 7 days before the date of the meeting.
- (2) Written notice must be given to members of the committee 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.

26. Quorum for committee meetings

- (1) Any 5 members of the committee constitute a quorum for the conduct of the business of a meeting of the committee.
- (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 committee may act notwithstanding any vacancy on the committee.

27. Presiding at committee meetings

At meetings of the committee—

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

28. Voting at committee meetings

- (1) Questions arising at a meeting of the committee, or at a meeting of any sub-committee appointed by the committee, 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 committee, or at a meeting of any sub-committee appointed by the committee (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.

29. Removal of committee member

- (1) The Association in the general meeting may, by resolution, remove any member of the committee 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 Chairman 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 Chairman 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.

30. Minutes of meetings

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

31. 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*.
 - (c) maintain a separate gift fund to be known as the Frankston Community Support and Information Centre 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.
 - (d) 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 another organization in Australia which is a public benevolent institution for the purposes of any Commonwealth taxation Act.
- (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 committee.
 - (4) The funds of the Association shall be derived from annual subscriptions, grants, donations and such other sources as the committee determines.

32. 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 committee and the affixing of the Common Seal must be attested by the signatures either of two members of the committee or one of the committee and of the Public Officer of the Association.

33. Notice to members

- (1) 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, if the member has requested that the notice be given to him or her in this manner; or
 - (d) electronic transmission, if the member has requested that the notice be given to him or her in this manner.

34. Auditor

- (1) An Auditor or Auditors shall be elected 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 committee 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 committee.
- (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 thirtieth 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 committee for information.

35. Sub-committees

The committee 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 committee 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 committee as its Chairman and the quorum for meetings of sub-committees shall be two-thirds of its members.

36. Auxiliaries

- (1) The committee 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 committee.
- (3) The committee 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 committee.

37. 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.

38. 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 subsection 78(4) of the *Income Tax Assessment Act 1936* or any enactment or re-enactment thereof.

39. 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 and any other relevant documents of the Association must be available 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.

40. 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 committee of management.

41. Certificate

We, the undersigned, being the Chairman and Secretary respectively of
FRANKSTON COMMUNITY SUPPORT AND INFORMATION CENTRE
INCORPORATED

certify that these Rules are the Rules of the Association, which were approved at a
general meeting of the members held on

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Chairman

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Secretary

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Date

Appendix 1 - Membership Application Form

APPLICATION FOR MEMBERSHIP OF FRANKSTON COMMUNITY SUPPORT AND INFORMATION CENTRE INCORPORATED

I, (name and occupation),

of (address) desire to become a member of Frankston Community Support And Information Centre 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 Frankston Community Support And Information Centre Incorporated, nominate the applicant, who is personally known to me, for membership of the Association.

Signature of Proposer

Date

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

Signature of Seconder

Date