



THE AUSTRAL-ARMENIAN ASSOCIATION INC.

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Austral-Armenian

Association Inc.

2015 Constitution

(By-Laws)

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PART A – OUR MISSION STATEMENT

The objects of the Incorporated Association are:

- To promote a close relationship with other communities with a view to enhancing the Armenian social and economic life, but without political involvement.
- To assist the rehabilitation of fellow Armenians with whatever means that may be necessary and foster their integration into the Australian society, at the same time preserving the Armenian National identity, language, tradition, customs and religious beliefs.
- To assist members in need by liaising with the authorities, as necessary.
- To hold and stand possessed of the land, buildings and all improvements, erected on Lot 3 in deposited plan 257403 at 5 Grattan Crescent, Frenchs Forest also known as the Armenian Community Centre or the Galstaun Function Centre (The Centre) upon Trust to permit the same held, used and enjoyed by all Armenians, others, accompanied by a member, or for any other purpose connected with the work of the Incorporated Association either in perpetuity or so long as the tenure thereof shall allow subject to such terms as to any mortgage, encumbrance, charge debt or liability. Statutory or otherwise and as to the payment of rates, taxes and other outgoings.
- To organise social activities and raise funds for implementation of the objects of the Incorporated Association and for maintenance of The Centre which shall be open to all Armenians and others, accompanied by a member, to participate in social and cultural activities.
- To promote cultural, artistic and educational activities with a view to upgrading the academic standard of the Armenian youth and for the general benefit of the community.
- To promote sports, activities within the capacity and resources of the Incorporated Association and to provide physical fitness facilities for the benefits of its members in general.
- To lease, hire, license, extend, modify, alter, maintain, or repair or to utilise different parts of property, The Centre, for separate purposes of the association's objectives or any other property or assets of the Incorporated Association.
- To raise or seek funds by donations or subscriptions, or to borrow in way of loan. Mortgage, charge, debenture, or lien, unsecured or secured against The Centre or other property or asset of the Incorporated Association, to affect the purposes of any these objects.

PART B - CONSTITUTION

PART 1 - PRELIMINARY

(1) DEFINITIONS

(1) In this constitution:

- a. **Director General:** The Director General of the Department of Services, Technology and Administration.
- b. **The Association:** The Austral-Armenian Association Incorporated.
- c. **Ordinary Committee Member:** A member of the committee who is not an office bearer of The Association, known as a Councillor.
- d. **Secretary:**
 - i. The person holding office under this constitution as Secretary of The Association.
 - ii. If no such person holds this title then this position is held by the Public Officer of The Association.
- e. **Special General Meeting:** A general meeting of the association other than an annual general meeting.
- f. **The Act:** Association Incorporation Act 2009.
- g. **The Regulation:** The association Incorporation Regulation 2010.

(2) In this constitution.

- a. a reference to a function includes a reference to a power, authority and duty, and
- b. a reference to exercise of a function includes, if the function is a duty, and
- c. a reference to the Performance of the duty.

(3) The provisions of the interpretation Act 1987 apply to and in respect of this constitution in the same manner as those provisions would apply if this constitution were an instrument made under the Act.

PART 2 - MEMBERSHIP

(2) MEMBERSHIP QUALIFICATIONS

(1) A person is eligible to be a member of the association if:

- a. the person is a natural person, and
- b. the person has been nominated and approved for membership of the association in accordance with clause 3.

(2) A person is taken to be member of the association if:

- a. a person is a natural person, and has been approved for membership of the association by the committee of association.
- b. the person was :
 - i. In case of an unincorporated body that is registered as the association a member of that incorporated body immediately before the registration of the association, or
 - ii. In the case of association that is amalgamated to form the relevant association-a member of that other association immediately before the amalgamation, or
 - iii. In the case of a registrable corporation that is registered as an association a member of registrable corporation immediately that entity was registered as an association.
 - iv. A person is taken to be a member of association if the person was one of the individuals on whose behalf an application for registration of the association under section 6 (1) (a) of the act was made.

(3) NOMINATION OF MEMBERSHIP

(1) A nomination of a person for membership of the association:

- must be made by a member of the association in writing in the form set out in Appendix 1 to this constitution, and
- must be lodged with the secretary of the association.

(2) As soon as practicable after receiving a nomination for membership, the secretary must refer the Nomination to the committee which is to determine whether to approve or to reject the nomination

(3) As soon as practicable after the committee makes that determination, the secretary must:

- notify the nominee, in writing, that the committee approved or rejected nomination (whichever is applicable), and
- if the committee approved the nomination, request the nominee to pay (within period of 28 days after receipt by the nominee of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.

(4) The secretary must, on payment by the nominee of the amounts referred to in subclause (3)(b) within period referred to in that provision, enter or cause to be entered the nominee's name in the register of members and, on the name so entered, the nominee becomes a member of The Association.

(4) CESSATION OF MEMBERSHIP

(1) A person ceases to be a member of the association if the person:

- Dies, or
- Resigns membership, or
- Is expelled from the association, or
- Fail to pay the annual membership fee under clause 8 (2) within 3 months after the fee is due.

(5) MEMBERSHIP ENTITLEMENT NOT TRANSFERABLE

(1) A right, privilege or obligation which a person has by reason of being a member of the association:

- Is not capable of being transferred or transmitted to another person, and
- Terminates on cessation of the person's membership.

(6) RESIGNATION OF MEMBERSHIP

(1) A member of association may resign from membership of association by first

- giving to the secretary written notice of at least 1 month (or such a period as the committee may determine).
- Of the member's intention to resign and, on the expiration of the period of notice, the ceases to be a member.

(2) If a member of The Association ceases to be a member under subclause (1) , and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

(7) REGISTER OF MEMBERS

(1) The public officer of the association must establish and maintain a register of members of The Association specifying the name and postal or residential address of each person who is member of the association together with the date on which the person became a member.

- The register of members be kept in New South Wales, at the main premises of the association, or
- if the association has no premises, at the association's official address.

(2) The register of the member must be open for inspection, free of charge, by any member of association at any reasonable hour.

(3) A member of association may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.

(4) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection , that information must not be made available for inspection.

(5) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:

- The purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association. Or
- Any other purpose necessary to comply with a requirement of the Act or the regulation.

(8) FEES AND SUBSCRIPTIONS

- (1) A member of the association must, on admission to membership, pay to the association a fee of \$1 or, if some other amount is determined by the committee, that other amount.
- (2) In addition to any amount payable by a member under sub clause (1), a member of association must pay to the association an annual membership fee of \$2 or, if some other amounts is determined by the committee, that other amount.
 - a. Except provided by paragraph (b), before 1st July in each calendar year, or
 - b. If the member becomes on or after 1st July in any calendar year on becoming a member and before 1st July in each succeeding calendar year.

(9) MEMBERS' LIABILITY

The liability of a member of the association to contribute 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 as required by clause 8.

(10) RESOLUTION OF DISPUTES

- (1) A dispute between a member and another member (in their capacity as members) of The Association, or a dispute between a member or members and The Association, are to be referred to a community justice centre of mediation under the Community Justice Centres Act 1983.
- (2) If a dispute is not resolved by mediation within 3 months of the referral to a Community Justice Centre, the dispute is to be referred to arbitration.
- (3) The Commercial Arbitration Act 1984 applies to any such dispute referred to arbitration.

(11) DISCIPLINING OF MEMBERS

- (1) A complaint may be made to the committee by any person that a member of The Association
 - a. has refused or neglected to comply with a provision or provisions of The Association, or
 - b. has wilfully acted in a manner prejudicial to the interest of the association.
- (2) The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the committee decides to deal with the complaint, the committee
 - a. must cause notice of the complaint to be served on the member concerned, and
 - b. must give the member at least 14 days from the time the notice is served within which to make Submission to the committee in connection with the complaint, and
 - c. must take in to consideration any submission made by the member in connection with the complaint.
- (4) The committee may, by resolution, expel the member from The Association or suspend the member from membership of The Association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- (5) If the committee expels or suspends a member, the secretary must within 7 days after the action is taken, cause written notice to be given to member of the action taken, of the reason given by The committee for having taken that action and of the member's right of appeal under clause 12.
- (6) The expulsion or suspension does not take effect:
 - a. until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - b. if within that period the member exercises the right of appeal, unless and until The Association conforms the resolution under, clause 12, whichever is the later.

(12) RIGHT OF APPEAL DISCIPLINED MEMBER

- (1) A member may appeal to the association in a General Meeting against a resolution of the Committee under clause 11, within 7 days of notice of the resolution is served on the member by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the Member intends to rely for the purpose of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the secretary must notify the Committee which is to convene a General Meeting of The Association to be held in 28 days after the date on which secretary received the notice.
- (4) At the General Meeting of the association convened under subclause (3):
 - a. no business other than the question of the appeal is to be transacted, and
 - b. the committee and the member be given the opportunity to state their respective cases orally or in writing, on the both, and
 - c. the members present are to vote by secret ballot on the question of whether the resolution should be conformed or revoked.
- (5) The appeal is to be determined by a simple majority of votes cast by the members of The Association.

PART 3 - THE COMMITTEE**(13) POWERS OF THE COMMITTEE**

- (1) Subject to the Act, the regulation of this constitution and to any resolution passed by The Association in General Meeting, the committee:
 - a. Is to control and manage the affairs of The Association, and may exercise all such functions as may be exercised by The Association, other than those functions that are required by this constitution to be exercised by a General Meeting of members of The Association. and
 - b. Has power to perform all such acts and do all such things as appear to The Committee
 - c. To be necessary or desirable for the proper management of the affairs of The Association.

(14) COMPOSITION AND MEMBERSHIP OF COMMITTEE

- (1) The committee is to consist of:
- (2) the office-bearers of The Association, and
- (3) at least three ordinary committee members, each of whom is to be elected at the Annual General Meeting of the association under clause 15.
- (4) A committee is elected for a term of two (2) years (24 months).
- (5) The total number of committee members is to be seven.
- (6) The office-bearers of the association are as follows:
 - a. The President,
 - b. The Vice President,
 - c. The Treasurer,
 - d. The Secretary.
- (7) A Committee Member may hold up to two offices (other than both the President and Vice President offices). Related members are allowed, but cannot be cosignatories of any transactions.
- (8) Each member of The Committee is, subject to this constitution, to hold office until the conclusion of Annual General Meeting following the date of the member's election, but is eligible for election.

(15) ELECTION OF COMMITTEE MEMBERS

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members:
 - a. must be made in writing, signed by two members of the association and accompanied by written consent of the candidate (which may be endorsed on the form of nomination), and Nominees must be financial members for at least 12 months, and
 - b. must be delivered to the secretary of The Association at least 7 days before the date fixed for the Holding of the Annual General Meeting at which election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the Annual General Meeting.
- (3) If insufficient further nominations are received, vacant positions remaining on the committee are to be taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of the office-bearers an ordinary committee members of the committee is to be conducted at the Annual General Meeting in such usual and proper manner as the committee may direct.
- (7) A person nominated as an office-bearer must be a member of The Association and must not participate in any other associations' committee memberships.

(16) SECRETARY

- (1) The secretary of The Association must, as soon as practicable after being appointed as secretary, lodge notice with association of his or her address.
- (2) It is the duty of the secretary to keep minutes of:
 - a. all appointments of office-bearers and members of the committee, and
 - b. the names of the members of the committee present at a committee meetings or any General Meetings, and
 - c. all proceedings at Committee and General Meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the next succeeding meeting.

(17) TREASURER

- (1) It is the duty of the treasurer of the association to insure:
 - a. That all money due to association is collected and received and that all payments authorised by The Association are made, and
 - b. That correct books and accounts are kept showing the financial affairs of The Association, including full details of all receipts and expenditure connected with the activities of The Association.

(18) CASUAL VACANCIES

- (1) In the event of a casual vacancy occurring in the membership of the committee, the committee
 - a. May appoint a member of The Association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the Annual General Meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the committee occurs if the member:
 - a. dies, or
 - b. ceases to be a member of the association, or
 - c. becomes insolvent under administration within the meaning of the Corporations Act 2001 of The Commonwealth, or
 - d. resign office by notice in writing given to the secretary, or
 - e. is removed from office under clause 19, or
 - f. becomes a mentally incapacitated person, or
 - g. is absent without consent of the committee from three consecutive meetings of the Committee, or,
 - h. is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
 - i. is prohibited from being a director of a company under part 2D.6 (Disqualification from Managing Corporations) of the Corporations Act 2001 of The Commonwealth.

(19) REMOVAL OF COMMITTEE MEMBER

- (1) The association in general meeting may by resolution remove any member of the committee from office of member before expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representation in writing to the Secretary or President (not exceeding a reasonable length) and request that the representations be notified to the members of the association, secretary or president may send a copy of the representations to each member of the association, or if the representations are not so sent, the member is entitled to required that the representations to be read out at the meeting at which resolution is considered .

(20) COMMITTEE MEETING AND QUORUM

- (1) The committee must meet at least three times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the President or by any member of The Committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each Member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agreed to treat as urgent business.
- (5) Any four members of the committee constitute a quorum for transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place as the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, meeting is to be dissolved at
- (8) A meeting of the committee:
 - a. the president or, in the president's absence, the vice-president is to preside, or
 - b. if the president or vice president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

(21) DELEGATION BY COMMITTEE TO SUB-COMMITTEE.

- (1) The committee may, by instrument in writing , delegate to one or more sub-committees (consisting of member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
 - a. This power of delegation, and
 - b. A function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this clause, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by the sub-committee.
- (6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (7) A sub-committee may meet and adjourn as it thinks proper.

(22) VOTING AND DECISIONS

- (1) Questions arising at meeting of the committee or of any sub- committee appointed by the committee are to be determined by the majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by The Committee (including the person presiding at the committee) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to clause 20 (5), The Committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or, suffered, by the Committee or sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be member of the committee or sub-committee.

PART 4 - GENERAL MEETING**(23) ANNUAL GENERAL MEETING – HOLDING OF**

- (1) The Association must hold its first General Meeting within 18 months after its registration under the act.
- (2) The Association must hold its Annual General Meeting:
 - a. within 6 months the close of the association's financial year, or
 - b. within such later time as may be allowed by the Director- General or by the regulation.

(24) ANNUAL GENERAL MEETING – CALLING OF AND BUSINESS

- (1) The annual general meeting of the association is, subject to the Act and to clause 23, to be convened on such date and at such place and time as the committee think fit.
- (2) In addition to any other business which may be transacted at an Annual General Meeting, the Business of an Annual General Meeting is to include the following:
 - a. To confirm the minutes of the last proceeding Annual General Meeting,
 - b. To receive from The Committee report on the activities of the association during the last proceeding financial year,
 - c. To elect office bearers of the Association and ordinary committee members.
 - d. To receive and consider any financial statements or report required to be submitted to members under the Act.
- (3) An Annual General Meeting must be specified as such in the notice convening it.

(25) SPECIAL GENERAL MEETING - CALLING OF

- (1) The Committee may, whenever thinks fit, convene a special general meeting of the association.
- (2) The Committee must, on the requisition on writing of at least 5 per cent of the total number of the members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting:
 - a. Must state the purpose or purposes of the meeting, and
 - b. Must be signed by the member making the requisition, and
 - c. Must be lodged with the secretary, and
- (4) May consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (5) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of the members for the meeting is lodged with the secretary, any one or more of members who made the requisition may convene a special general meeting to be held no later than 3 months after that date.
- (6) A special general meeting convened by a member or members as referred to in subclause(4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

(26) NOTICE

- (1) 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 14 days before the date fixed for the holding of general meeting, give a notice to each member specifying the place, date and the time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) 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 21 days before the date fixed for the holding of general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause(1). The intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an Annual General Meeting, business which may be transacted under clause 24 (2).
- (4) A member desiring to bring any business to a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a General Meeting given after receipt of the notice from the member.

(27) QUORUM FOR GENERAL MEETING

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) 25% of members present in person (being entitled to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after appointed time of the commencement of a general meeting a quorum is not present, the meeting;
 - a. If convened on the requisition of the members, is to be dissolved, and
 - b. In any other case, is to stand adjourned to the same day the following week at the same time and (unless another place is specified at the same 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.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present to be 15% are to constitute a quorum.

(28) PRESIDING MEMBER

- (1) The President or, in the president's absence, the Vice-President, is to preside as chairperson at each general meeting of the association.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their member to preside as chairperson at the meeting.

(29) ADJOURNMENT

- (1) The chairperson of the General Meeting at which a quorum is present may, with the consent of majority of the members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 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 the time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclause (1) and (2), 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.

(30) MAKING OF DECISIONS

(1) A question arising at a General Meeting of The Association is to be determined by either.

- a. a show of hands, or
- b. if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot.
- a. If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried out or carried unanimously or carried by a particular majority or lost, or 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.
- b. If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the direction of the chairperson.

(31) SPECIAL RESOLUTIONS

- (1) A special resolution may only be passed by The Association accordance with Section 39 of the Act.
- (2) If it is passed by a majority which comprises at least three-quarters (¾) of such members of The Association as, being entitled under these rules so to do, vote in person at a general meeting of which at least 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules.
- (3) Any resolution is to be passed by means of a majority voting at the meeting

(32) VOTING

- (1) On any question arising at a general meeting of The Association a member has one vote only.
- (2) In a case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) 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.
- (4) A member is not entitled to vote at any Annual General Meeting of the association if the member is under 18 years of age.

(33) APPOINTMENT OF PROXIES

- (1) Each member is to be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy is to be in the form set out.

(34) POSTAL BALLOTS

- (1) The association may hold a postal ballot to determine any issues or proposals (other than an appeal under clause 12)
- (2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

PART 5 – MISCELLANEOUS**(35) INSURANCE**

- (1) The association must effect and maintain insurance under section 44 of the Act.
- (2) In addition to insurance required under clause (1) the association may effect and maintain other insurance.

(36) FUND-SOURCE

- (1) The funds of The Association are to be derived from entrance and subscriptions fees and annual subscriptions of members, donation and, subject to any resolutions passed by The Association in General Meeting, such other sources as the committee determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

(37) FUNDS – MANAGEMENT

- (1) The assets and income of The Association shall be applied solely in furtherance of its above mentioned objectives and 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.
- (2) All Cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of The Association, being members of employees authorised to do so by the committee.
- (3) All contracts entered into, should be approved by the committee and entered in the minutes.

(38) CHANGE OF NAME, OBJECTS AND CONSTITUTION

- (1) All application to the Director-General for registration of a change in the association's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a Committee member.

(39) COMMON SEAL

- (1) The common seal of the association must be kept in the custody of the public officer.
- (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 2 members of the committee or of 1 member of the committee and of public officer or secretary.

(40) CUSTODY OF BOOKS ETC.

Except as otherwise provided by this constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

(41) INSPECTION OF BOOKS ETC.

- (1) The following documents must be open to inspection, free of charge, by a member of The Association at any reasonable hour:
 - a. Records, books and other financial documents of the association.
 - b. This constitution,
 - c. Minutes of committee meetings and general meetings of the association.
- (2) A member of the association may obtain a copy of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.

(42) SERVICES OF NOTICES

(1) For the purpose of this constitution, a notice may be served on or given to a person:

- by delivering it to the person personally, or
- by sending it by pre-paid post to the address of the person, or
- by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

(2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

(43) FINANCIAL YEAR

(1) The financial year of the association is:

- the period of time commencing on the date of incorporation of the association and ending on the following 31st December, and
- each period of 12 months after the expiration of the previous financial year of the association, commencing on 1st January and ending on the following 31st December.

Note: Schedule 1 of the Act provides that an association's constitution is to address the association's financial year.

(44) DISSOLUTION

(1) The Association shall be wound up or dissolved in the event of the membership being less than 5 person or by a resolution to be passed by three-fourth majority of the members present at a General Meeting or a Special meeting convened for that purpose and such notice of the motion is given to the members two weeks prior to the date of the meeting.

(2) Up on resolution being passed on winding up or dissolution of the association all assets and Funds of the association remaining shall not be distributed amongst the members but shall be given or transferred to another Armenian organisation which is registered or an exempt charity in New South Wales having benevolent, religious, cultural and similar object, provided that such organisation in turn has the aforementioned provisions in the event of its winding up or dissolution.

(3) Also in the event of dissolution, all assets and funds or property be handed to an organisation which have been ruled by the Commissioner of taxation to be covered by Item 63A in the first schedule to the sales tax (exemption and classification).

(45) AMALGAMATION

Where it furthers the objects of the association to amalgamate with any one or more Armenian organisations having similar objects, the other organisation(s) must have rules prohibiting the distribution of its (their) assets and income to members and must be exempt from income tax.



THE AUSTRAL-ARMENIAN ASSOCIATION INC.

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5 Grattan Cres. FRENCHS FOREST NSW 2086

CORRESPONDENCE

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Ph: (02) 9451 3918

Email: info@austral-armenian.com.au

Website: www.austral-armenian.com.au

APPENDIX 1 - NEW MEMBERSHIP APPLICATION FORM

(Please Write/Print Clearly)

I _____
(Title & Full name of applicant)

Of Street Address: _____

Mailing Address: _____

Home Phone: (_____) _____ Mobile Number: _____

Email address: _____

I Hereby apply to become a member of the above named incorporated association. In the event of my admission, I agree to be bound by the constitution of the association for the time being in force.

I am over the age of 18 as of the application signing date.

I have read and agree to abide by the Associations By-Laws and Membership responsibilities.

Signature: _____ Dated: _____
Signature of applicant

Nominating Members

I _____
Full name of member
a member of the association, nominate this applicant for membership of the association.

Signature: _____ Dated: _____

I _____
Full name of member
a member of the association, second this nomination of the applicant for membership of the association.

Signature: _____ Dated: _____

Membership fee is \$15.00 per Person per Annum.
(Membership is based on a Financial Calendar)

Office Use Only:

Approved

Declined - Reason: _____

Signed: _____ Date: ____ / ____ / ____