

Northern Suburbs Community Centre Inc.

ABN 95 017 450 530

Rules of Association
(Known as Constitution)
Revised at AGM 2023

Approved by Consumer Affairs



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1. Name of Association

The name of the Association is as follows:
Northern Suburbs Community Centre Inc

2. Interpretation

In these rules, unless the context otherwise requires –

'Accounting records' has the same meaning as in the act;

'Act' means the *Associations Incorporation Act 1964* (TAS);

'Annual general meeting' means an annual general meeting of the Association held under rule 12;

'Association' means the association referred to in rule 1 association has the same meaning as in the act;

'Auditor' means the person appointed as the auditor of the Association under rule 10;

'Authorised deposit taking institution' means a body cooperate that is an authorised deposit taking institution for the purposes of the Banking Act 1959 of the Commonwealth;

'Basic objects of the Association' means the objects and purposes of the Association as stated in an application under section 7 of the Act for the incorporation of the Association;

'Committee' means the committee of management referred to in rule 23;

'Financial year' has the same meaning as in the Act;

'General meeting' means –

- a) An annual general meeting; or
- b) A special general meeting;

'Officer of the Association' means a person elected as an officer of the Association at an annual general meeting or appointed as an officer of the Association under rule 23(3);

'Ordinary business of an annual general meeting' means the business specified in rule 12(5);

'Ordinary committee member' means a member of the committee other than an officer of the Association;

'President' can also be known as Chair

'Purpose' means the provision of community development for the whole community, for people of all ages, abilities, race and sex. It will provide a place where people care, find encouragement, support and information, share skills, knowledge and resources;

'Special committee meeting' means a meeting of the committee that is convened under rule 27(2) by the president or any 4 of the members of the committee;

'Special general meeting' means a meeting of the Association, other than an annual general meeting, convened under rule 13;

'Special resolution' has the same meaning as in the Act.

'Vice-President' can also be known as Deputy Chair.

3. Association's Office

The office of the Association is to be at the following place or such other place that the committee may from time to time determine:

49 George Town Road, Newnham, Tasmania 7248.

4. Objects and Purposes of Association

- 1) Northern Suburbs Community Centre Incorporated (NSCC) seeks to be part of a community that improves the circumstances of people experiencing poverty and/or hardship.
NSCC aims to build capacity and meet the needs of families, individuals and children who are experiencing and/or are at risk of poverty, distress, neglect, abuse and/or disadvantage.
NSCC serves as a place where people who need support can find care; are encouraged and informed; can access skills, knowledge and resources and can actively participate in and contribute to their community.
- 2) Subject to the act, the association has power to do all things incidental or conducive to achieve its purpose.
- 3) The objects of NSCC Incorporated are to assist and where possible, improve the circumstances of people in the wider community who are experiencing and/or are at risk of poverty, distress, neglect, abuse and/or disadvantage by:
 1. developing personal and life abilities, independence, self-sufficiency, and resilience

2. providing programs, activities, and support to meet health, wellbeing, and safety needs of the community
 3. providing opportunities and support for individuals and families in the community to grow, build confidence and make decisions which positively change their lives
 4. developing relationships and networks to advocate for and influence decisions that affect them.
- 4) The Association may undertake the following;
- a) The purchase, taking on lease or in exchange, hire or other acquisition of any real or personal property necessary or convenient for any of the objects or purposes of the Association;
 - b) The purchase, sale or supply of, or other dealing, goods;
 - c) The construction, maintenance or alteration of any building or works necessary or convenient for any of the objects or purposes of the Association;
 - d) The acceptance of a gift for any of the objects or purposes of the Association;
 - e) The taking of any step the committee or the members of the Association at a general meeting determine expedient for the purpose of procuring contributions to the funds of the Association;
 - f) The printing or publication of any newspaper, periodical, book, leaflet or other document the committee or the members of the Association at a general meeting determine desirable for the promotion of any of the objects or purposes of the Association;
 - g) The borrowing and raising of money in any manner and on terms the committee thinks fit or, approved or directed by resolution passed at a general meeting;
 - h) Subject to the provisions of the Trustee Act 1898, the investment, in any manner the committee determines, of any money of the Associations not immediately required for any of the objects or purposes of the Association
 - i) The making of a gift, subscription or donation to any of the funds, authorities or institutions to which section 78A of the Income Tax Assessment Act 1936 of the Commonwealth relates;
 - j) The establishments and support, or aiding in the establishment and support of, or working within a relationship of collaboration with, associations, - institutions, charities, funds, trusts, schemes or conveniences that raise funds in order to channel those funds to specific programs that provide benevolent relief to people in need, the establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the Association;
 - k) The Purchase, or acquisition, and the understanding of all or part of the property, assets, liabilities, or engagement of any of the basic objects of the Association;
 - l) The doing of any lawful thing incidental or conducive to the attainment of the objects or purposes of the Association;
- 5) The Association is a Not-for-Profit Organisation. The assets and incomes of the Association shall be applied solely for its objects.

5. Membership of Association

- 1) A person who is nominated and approved for membership in accordance with this rule is eligible to be a member of the Association on payment of the annual subscription specified in rule 31.
- 2) A person who is not a member of the Association at the time of the incorporation of the Association is not to be admitted as a member of the Association unless –
 - a) The person is nominated for membership in accordance with sub rule (3), and
 - b) The person is approved for membership by the committee.
- 3) A nomination of a person for membership is to be –
 - a) Made in writing and signed by a member of Association, and
 - b) Accompanied by the written consent of the person nominated and
 - c) Lodged with the public officer of the association
- 4) The consent referred to in sub rule (3) (b) may be endorsed on the nomination.
- 5) As soon as practicable after the receipt of a nomination, the public officer is to refer the nomination to the committee.
- 6) If a nomination is approved by the committee, the public officer (or delegated member of staff) will, upon receipt of the amount payable by the nominee as the first annual subscription, enter the nominee's name in a register of members.
- 7) A member of the Association may resign or cease to become a member upon financial expiration of their financial membership.
- 8) If a member is not approved by the committee, then the public officer (or delegated member of staff) will notify the nominee.
- 9) Any right, privilege, or obligation of a person as a member of the Association –
 - a) Is not capable of being transferred to another person, and
 - b) Terminates on the cessation of the membership.

6. Liability of Members

- 1) Any right, privilege, or obligation of a person as a member of the Association –
 - a) Is not capable of being transferred to another person, and
 - b) Terminates on the cessation of the membership.
- 2) If the Association is wound up, each member of the Association, and each person who was a member of the Association within the period of 12 months immediately preceding the commencement of the winding up, is liable to contribute –
 - a) To the assets of the Association for payment of the liabilities of the Association, and
 - b) The costs, charges, and expenses of the winding up, and
 - c) For the adjustment of the rights of the contributors among themselves.
- 3) Any liability under sub rule (2) is not to exceed \$1.00 (one) dollar.

4) Despite sub rule (2), a former member of the Association is not liable to contribute under that sub rule in respect of any liability of the Association incurred after he or she ceased to be a member.

7. Income and Property Association

1) The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.

2) No portion of the income or property of the Association is to be paid or transferred to any member of the Association unless the payment or transfer is made in accordance with this rule.

3) The Association may –

a) Pay a servant or member of the Association –

i) Remuneration in return for services rendered to the Association, or for goods supplied to the Association, in the ordinary course of business of the servant or member; or

ii) Remuneration that constitutes a reimbursement for out-of-pocket expenses incurred by the servant or member for any of the objects or purposes of the association; or

iii) Interest at a rate not exceeding 7.25% on money lent to the Association by the servant or member; or

iv) A reasonable amount by way of rent for premises, or a part of premises, let to the Association by the servant or member, and

4) Despite sub rule (3) (i), (ii), (iii) and (iv) the association is not to pay a person any amount under that sub rule unless the Association or committee has first approved that payment.

5) The association is not to –

a) Appoint a person who is a member of the committee to any office of the Association of which there is payable any remuneration by way of salary, fees or allowances, other than out of pocket expenses.

8. Accounts of Receipts and Expenditure

1) True accounts are to be kept of the following:

a) Each receipt or payment of money by the Association and the matter in respect of which the money was received or paid;

b) Each asset or liability of the Association.

2) The audited accounts are to be open to inspection by the members of the Association at any reasonable time, and in any reasonable manner, determined by the committee.

3) The treasurer of the Association is to keep all accounting books, and general records and records of receipts and payments, connected with the business of the Association in the form and manner the committee or delegated employee determines.

4) The accounts, books and records are to be kept at the Association's office or at any other place the committee determines.

9. Banking and Finance

- 1) On behalf of the Association, the treasurer (or delegated employee) of the Association is to –
 - a) Receive any money paid to the Association, and
 - b) Immediately after receiving the money, issue an official receipt in respect of the money, and
 - c) Caused the money to be paid into the account opened under sub rule (2) as soon as practicable after it is received.
- 2) The committee is to open with an authorised deposit taking institution an account in the name of the Association.
- 3) The committee may –
 - a) Receive from an authorised deposit taking institution a cheque drawn by the Association on any of the Associations accounts with the authorised deposit taking institution, and
 - b) Release or indemnify the authorised deposit taking institution from or against any claim, or action or other proceeding, arising directly or indirectly out of the drawing of that cheque.
- 4) All payments by way of cash, cheque, draft, bills of exchange, electronic funds transfer, or direct debit must be made in accordance with the Association policies and procedures.

10. Auditor

- 1) At each annual general meeting, the members of the Association present at the meeting are to appoint a person as the auditor of the Association.
- 2) If an auditor is not appointed at an annual general meeting under sub rule (1), the committee is to appoint a person as the auditor of the Association as soon as practicable after that annual general meeting.
- 3) The auditor is to hold office until the next annual general meeting and is eligible for reappointment
- 4) The first auditor –
 - a) May be appointed by the committee before the first annual general meeting, and
 - b) If so appointed, holds office until the first annual general meeting unless earlier removed by a resolution of the member of the Association at a general meeting.
- 5) If the auditor is appointed by the committee under sub rule (4) (a) and subsequently removed at a general meeting under sub rule (4) (b), the members of the Association, at that general meeting, may appoint an auditor to hold office until the first annual general meeting.
- 6) Except as provided in sub rule (4) (b), the auditor may only be removed from office by special resolution.
- 7) If a casual vacancy occurs in the office of auditor, the committee is to appoint a person to fill the vacancy until the next annual general meeting.

11. Audit of Accounts

- 1) The auditor is to audit the financial affairs of the Association at least once in each financial year of the Association.
- 2) The auditor, after auditing the financial affairs of the Association for a particular financial year of the Association, is to –
 - a) Certify as to the correctness of the accounts of the Association, and
 - b) At the next annual general meeting, prepare a written report to be presented to the members at that meeting.
- 3) In the report and in certifying to the accounts, the auditor is to –
 - a) Specify the information, if any, that he or she has required under sub rule (5) (b) and obtained, and
 - b) State whether, in his or her opinion, the accounts exhibit a true and correct view of the financial position of the Association according to the information at his or her disposal, and
 - c) State whether the rules relating to the administration of the funds of the Association have been observed.
- 4) The treasurer (or delegated employee) of the Association is to deliver to the auditor a list of all the accounting records, books and accounts of the Association.
- 5) The auditor may –
 - a) Have access to the accounting records, books and accounts of the Association, and
 - b) Require from any servant of the Association any information the auditor considers necessary for the performance of his or her duties, and
 - c) Employ any person to assist in auditing the financial affairs of the Association; and
 - d) Examine any member of the committee, or any servant of the Association, in relating to the accounting records, books and accounts of the Association

12. Annual General Meeting

- 1) The Association is to hold an annual general meeting each year.
- 2) An annual general meeting is to be held on any day (being not later than 6 months after the end of the financial year of the association) the committee determines.
- 3) An annual general meeting is to be in addition to any other general meeting that may be held in the same year.
- 4) The notice convening an annual general meeting is to specify the purpose of the meeting.
- 5) The ordinary business of an annual general meeting is to be as follows:
 - a) To confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - b) To receive from the committee, auditor and servants of the Association reports on the transactions of the Association during the last preceding financial year of the Association;

- c) To elect the officers of the Association and the ordinary committee members;
 - d) To appoint the auditor and determine his or her remuneration;
 - e) To determine the remuneration of servants of the Association and other persons acting on behalf of the Association.
- 6) An annual general meeting may transact special business of which notice is given in accordance with rule 14.
- 7) Minutes of proceedings of an annual general meeting are to be kept, in the minute book of the Association, by the Public Officer or, in the absence from the meeting of the Public Officer, by an officer of the Association who is nominated by the chairperson of the meeting.

13. Special General Meetings

- 1) The committee may convene a special general meeting of the Association at any time.
- 2) The committee, on the requisition in writing of at least 10 members of the Association, is to convene a special general meeting of the Association.
- 3) A requisition for a special meeting –
 - a) Is to state the objects of the meeting, and
 - b) Is to be signed by each of the requisitionists, and
 - c) Is to be deposited at the office of the Association, and
 - d) May consist of several documents, each signed by one or more of the requisitionists.
- 4) If the committee does not cause a special general meeting to be held within 21 days after the day on which a requisition is deposited at the office of the Association, any one or more of the requisitionists may convene the meeting within 3 months after the day of the deposit of the requisition.
- 5) A special general meeting convened by requisitionists is to be convened in the same manner, as nearly as practicable, as the manner in which a special general meeting would be convened by the committee.
- 6) All reasonable expenses incurred by the requisitionists in convening a special general meeting are to be refunded by the Association.

14. Notices of General Meetings

- 1) At least 14 days before the day on which a general meeting of the Association is to be held, the public officer of the Association is to publish a notice specifying-
 - a) The place, day and time at which the meeting is to be held, and
 - b) The nature of the business that is to be transacted at the meeting.
- 2) A notice is published for the purpose of sub rule (1) if the notice –
 - a) Is contained in an advertisement appearing in at least one newspaper circulating in Tasmania; or
 - b) Appears on a website, or at an electronic address, of the Association; or
 - c) Is sent to each member of the Association at –

- i) The members postal or residential address or address of business or employment; or
- ii) An email address that the member has nominated as the email address to which notices from the association may be sent; or
- d) Is given by another means, determined by the public officer that is reasonably likely to ensure that the members of the Association will be notified of the notice.

15. Business and Quorum at General Meetings

- 1) All business transacted at a general meeting, other than the ordinary business of an annual general meeting, is special business.
- 2) Business is not to be transacted at a general meeting unless a quorum of members of the association entitled to vote is present at the time the meeting considers that business.
- 3) A quorum for the transaction of the business of a general meeting is 8 members of the Association entitled to vote.
- 4) If a quorum is not present within one hour after the time appointed for the commencement of a general meeting, the meeting –
 - a) If convened on the requisition of members of the Association, is dissolved; or
 - b) If convened by the committee, is to be adjourned to the same day in the next week at the same time and –
 - i) At the same place or
 - ii. At any other place specified by the chairperson – (1) at the time of the adjournment or by notice in a manner determined by the chairperson.
- 5) If at an adjourned general meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting is dissolved.

16. Chairperson at General Meetings

At each general meeting of the Association, the chairperson is to be –

- a) The president; or
- b) In the absence of the president, the vice president; or
- c) In the absence of the president and the vice president a member of the Association elected to preside as chairperson by the members of the Association present and entitled to vote at the general meeting.

17. Adjournment of General Meetings

- 1) The chairperson of a general meeting at which a quorum is present may adjourn the meeting with the consent of the members of the Association who are present and entitled to vote at the meeting, 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 meeting is adjourned for 14 days or more, notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.

- 3) If a meeting is adjourned for less than 14 days, it is not necessary to give any notice of the adjournment or of the business to be transacted at the adjournment meeting.

18. Determination of Questions Arising at General Meetings

- 1) A question arising at a general meeting of the Association is to be determined on a show of hands.
- 2) A declaration by the chairperson that a resolution has, on a show of hands, been lost or carried, or carried unanimously or carried by a particular majority, together with an entry to that effect in the minute book of the Association, is evidence of that fact unless a poll is demanded on or before that declaration.

19. Votes

- 1) On any question arising at a general meeting of the association, a member of the Association (including the chairperson) has one vote only.
- 2) All votes are to be given personally.
- 3) Despite sub rule (1), in the case of an equality of votes, the chairperson has a second or casting vote.

20. Taking A Poll

If at a general meeting a poll on any question is demanded –

- a) The poll is to be taken at that meeting in the manner the chairperson determines, and
- b) The result of the poll is taken to be the resolution of the meeting on that question.

21. When A Poll Is to Be Taken

- 1) A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.
- 2) A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the chairperson determines.

22. Affairs of Association to Be Managed by A Committee

- 1) The affairs of the Association are to be managed by a committee of management constituted as provided in rule 24.
- 2) The committee –
 - a) Is to control and manage the business and affairs of the Association, and
 - b) May exercise all the powers and perform all the functions that are required by these rules to be exercised and performed by members of the Association at a general meeting, and

- c) Has power to do anything that appears to the committee to be essential for the proper management of the business and affairs of the Association.

23. The Officers of The Association Are as Follows:

- 1)
 - a) A president.
 - b) A vice president.
 - c) A treasurer.
 - d) A secretary.
 - e) A public officer.
 - f) Additional officers can be elected such as assistant treasurer and/or assistant secretary.
- 2) Rule 25(2), (3) and (4) applies, with all necessary modifications, to the election of persons to any of the offices referred to in sub rule (1).
- 3) Each officer of the Association is to hold office until the end of the next annual general meeting after that at which he or she is elected and is eligible for re-election.
- 4) If a casual vacancy in an office referred to in sub rule (1) occurs, the committee may appoint one of its members to fill the vacancy until the next annual general meeting after the appointment.

24. Constitution of The Committee

- 1) The committee consists of –
 - a) The officers of the Association, and
 - b) Up to 6 (six) other members elected at the annual general meeting.
- 2) An ordinary committee member is to hold office until the next annual general meeting after that at which he or she is elected and is eligible for re-election.
- 3) If a casual vacancy occurs in the office of ordinary committee member, the committee may appoint a member of the Association to fill the vacancy until the next annual general meeting after the appointment.
- 4) The committee shall nominate the public officer for appointment at the annual general meeting. The Association must have a public officer at all times. The public officer shall be a member of the committee and cannot be:
 - a) A paid employee of the Association; or
 - b) The treasurer or auditor; or
 - c) A person that has been convicted of fraud or a bankrupt.

25. Election of Numbers of Committee

- 1) A nomination of a candidate for election as an officer of the Association, or as an ordinary committee member, is to be –
 - a) Made in writing, signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the nomination), and
 - b) Delivered to the public officer of the Association at least 10 days before the day on which the annual general meeting is to be held.

- 2) If insufficient nominations are received to fill all vacancies on the committee
 - a) The candidates nominated are taken to be elected, and
 - b) Further nominations are to be received at the annual general meeting.
- 3) If the number of nominations received is equal to the number of vacancies on the committee to be filled, the persons nominated are taken to be elected.
- 4) If the number of nominations received exceeds the number of vacancies on the committee to be filled, a ballot is to be held.
- 5) If the number of further nominations received at the annual general meeting exceeds the number of remaining vacancies on the committee to be filled, a ballot is to be held in relation to those further nominations.
- 6) The ballot for the election of officers and ordinary committee members is to be conducted at the annual general meeting in the manner determined by the committee.

26. Vacation of Office

For the purpose of these rules, the office of an officer of the Association, or of an ordinary committee member, becomes casually vacant if the officer or committee member –

- 1) Dies; or
- 2) Becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or creditors or makes an assignment of his or her remuneration or estate for their benefit; or
- 3) Becomes a represented person within the meaning of the Guardianship and Administration Act 1995; or
- 4) Resigns office in writing addressed to the committee; or
- 5) Ceases to be ordinarily resident in Tasmania; or
- 6) Is absent from 3 consecutive meetings of the committee without the permission of the members of the committee; or
- 7) Ceases to be a member of the Association; or
- 8) Ceases to be a financial member of the Association;
- 9) Or becomes of unsound mind.

27. Meetings of The Committee

- 1) The committee is to meet bi-monthly at least 5 (five) times per year at any place and time the committee determines.
- 2) A meeting of the committee, other than a meeting referred to in sub rule (1), may be convened by the president or any 4 of the members of the committee.

- 3) Written notice of any special committee meeting is to be served on members of the committee and is to specify the general nature of the business to be transacted.
- 4) A special committee meeting may only transact business of which notice is given in accordance with sub rule (3).
- 5) A quorum for the transaction of the business of a meeting of the committee is 5 members of the committee.
- 6) Business is not to be transacted at a meeting of the committee unless a quorum is present.
- 7) If a quorum is not present within half an hour after the time appointed for the commencement of –
 - a) A meeting of the committee (other than a special committee meeting), the meeting is to be adjourned to the same day in the next week at the same time and at the same place; or
 - b) A special committee meeting, the meeting is dissolved.
- 8) At each meeting of the committee, the chairperson is to be –
 - a) The president; or
 - b) In the absence of the president, the vice president; or
 - c) In the absence of the president and the vice president, a member of the committee elected to preside as chairperson by the members of the committee present at the meeting.
- 9) Any question arising at a meeting of the committee is to be determined –
 - a) On a show of hands; or
 - b) If demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.
- 10) On any question arising at a meeting of the committee, a member of the committee (including the chairperson) has one vote only.
- 11) Despite sub rule (10), in the case of an equality of votes, the chairperson has a second or casting vote.
- 12) Written notice of each committee meeting is to be served on each member of the committee by –
 - a) Delivering it at a reasonable time before the meeting; or
 - b) Sending it by electronic mail to a personal email address at a reasonable time before the meeting.

28. Disclosure of Interests

- 1) If a member of the committee or a member of a subcommittee has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the committee or subcommittee at a meeting, the member is to, as soon as practicable after the relevant facts come to the members knowledge, disclose the nature of the interest to the committee.

- 2) If at a meeting of the committee or a subcommittee a member of the committee or subcommittee votes in respect of any matter in which the member has a direct or indirect pecuniary interest, that vote is not to be counted.

29. Subcommittees

- 1) The committee may –
 - a) Appoint a subcommittee from the committee; and
 - b) Prescribe the powers and functions of that subcommittee
- 2) The committee may co-opt any person as a member of a sub-committee without voting rights, whether or not the person is a member of the Association.
- 3) A quorum for the transaction of the business of a meeting of the subcommittee is 3 appointed members entitled to vote.
- 4) The public officer of the Association is to convene meetings of a subcommittee.
- 5) Any question arising at a meeting of a subcommittee is to be determined –
 - a) On a show of hands; or
 - b) If demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.
- 6) On any question arising at a meeting of a subcommittee, a member of the subcommittee (including the chairperson) has one vote only.
- 7) Written notice of each subcommittee meeting is to be served on each member of the subcommittee by –
 - a) Delivering it at a reasonable time before the meeting; or
 - b) Sending it by electronic mail to a personal email address at a reasonable time before the meeting.

30. Executive Committee

- 1) The president, the vice president, the treasurer and the secretary constitute the executive committee. If an assistant secretary or assistant treasurer have been elected at the annual general meeting, they also constitute part of the executive committee.
- 2) During the period between meetings of the committee, the executive committee may issue instructions to the public officer and servants of the Association in matters of urgency connected with the management of the affairs of the Association.
- 3) Matters of urgency may be dealt with by a meeting of no less than 3 (three) executive members.
- 4) The executive committee is to report on any instructions issued under sub rule (2) to the next meeting of the committee.

31. Annual Subscription

- 1) The annual subscription payable by members of the Association to be a dollar figure set at the Annual General Meeting.

- 2) The members of the Association may alter the annual subscription by special resolution.
- 3) The annual subscription of a member of the Association is due on or before the first day of each financial year of the Association and payable on or before the annual general meeting. Payment of the prior year annual subscription will retain membership until the next annual general meeting.

32. Service of Notices and Requisitions

Except as otherwise provided by these rules, a document may be served under these rules on a person by –

- 1) Giving it to the person or
- 2) Leaving it at, or sending it by post to, the person postal or residential address or place or address or employment last known to the server of the document or
- 3) Emailing it to the persons email address.

33. Expulsion of Members

- 1) The committee may expel a member from the Association which may include an Officer of the Association if, in the opinion of the committee, the member is guilty of conduct detrimental to the interest of the Association.
- 2) The expulsion of a member under sub rule (1) does not take effect until the later of the following:
 - a) The fourteenth day after the day on which a notice is served on the member under sub rule (3).
 - b) If the member exercises his or her right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.
- 3) If the committee expels a member from the Association, the public officer (or delegated employee) of the Association, without undue delay, is to cause to be served on the member a notice in writing –
 - a) Stating that the committee has expelled the member; and
 - b) Specifying the grounds for the expulsion; and
 - c) Informing the member of the right to appeal against the expulsion under rule 34.

34. Appeal Against Expulsion

- 1) A member may appeal against an expulsion under rule 33 by delivering or sending by post to the public officer of the Association, within 14 days after the service of a notice under rule 33 (3), a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal.
- 2) On receipt of a requisition, the public officer is to immediately notify the committee of the receipt.
- 3) The committee is to cause a special general meeting to be held within 21 days after the day on which the requisition is received.

- 4) At a special general meeting convened for the purpose of hearing an appeal under this rule –
 - a) No business other than the question of the expulsion is to be transacted; and
 - b) The committee may place before the meeting details of the grounds of the expulsion and the committee's reasons for the expulsion; and
 - c) The expelled member must be given an opportunity to be heard; and
 - d) The members of the Association who are present are to vote by secret ballot on the question of whether the expulsion should be lifted or confirmed.
- 5) If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion –
 - a) The expulsion is lifted, and
 - b) The expelled member is entitled to continue as a member of the Association.
- 6) If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion –
 - a) The expulsion takes effect, and
 - b) The expelled member ceases to be a member of the Association.

35. Disputes

- 1) A dispute between a member of the Association, in the capacity as a member, and the Association is to be determined by arbitration in accordance with the provisions of the *Commercial Arbitration Act 2011 (TAS)*.
- 2) This rule does not affect the operation of rule 34.

36. Seal of Association

- 1) The seal of the Association is to be in the form of a rubber stamp inscribed with the name of the Association encircling the word "Seal".
- 2) The seal is not to be affixed to any instrument except by the authority of the committee, in accordance with the Association's policies and procedures.
- 3) The affixing of the seal is to be attested by the signature of –
 - a) Two members of the committee; or
 - b) One member of the committee and the public officer of the Association or any other person the committee may appoint for that purpose.
- 4) If a sealed instrument has been attested under sub rule (3), it is presumed, unless the contrary is shown, that the seal was affixed to that instrument by the authority of the committee.
- 5) The seal is to remain in the custody of the president, manager or public officer of the Association.

37. Winding Up and Cancellation

- 1) The Association may be wound up voluntarily by special resolution.
- 2) In the event of winding up or the cancellation of the incorporation of the Association:
 - a) The surplus assets of the Association must not be distributed to any member or former members of the Association;
 - b) Members liability will be calculated in accordance with rule 6;
 - c) Will transfer all remaining gifts, deductible contributions and money received in relation to such gifts and contributions to another organisation to which income tax deductible gifts can be made.
- 3) If Deductible Gift Recipient (DGR) status is revoked, the Association will transfer all remaining gifts, deductible contributions and money received in relation to such gifts and contributions to another organisation to which income tax deductible gifts can be made.
- 4) Subject to the Act and any court order made under the Act, the amounts that remains after winding up and the satisfaction of all debts and liabilities shall be handed over to the Australian Neighbourhood House and Centre Association (if DGR at that time,) or if not, a like-minded organisation that is DGR, that has similar objectives and is approved by the Commissioner of Taxation as a public benevolent institution for the purposes of any Commonwealth Taxation Act. All government monies are to be returned to the appropriate Government Department(s).
- 5) The body to which the surplus assets are to be given must be decided by special resolution.