

MT NEBO RESIDENTS' ASSOCIATION
CONSTITUTION

COPY FOR
COMMITTEE
MEMBER

1. Name

The name of the Organisation shall be "MT NEBO RESIDENTS' ASSOCIATION" hereinafter called "the organisation".


2. Objects

- (1) To provide, maintain, and repair the Mt Nebo Residents' Association hall and ancillary buildings;
- (2) To supply and maintain amenities, furniture and fittings therein;
- (3) To maintain and improve the grounds upon which the said hall stands and being more particularly described as Subdivision 1 of Portion 145 on Plan Catalogue No. 63752 in the County of Stanley Parish of Samford containing an area of one acre, and being the land contained in Certificate of Title No. 476769 Volume 2426 Folio 9;
- (4) To encourage good citizenship and civic pride within the area;
- (5) To endeavour to ensure that at all times adequate community services and amenities are provided by the relevant authorities and distributed as equitably as possible over the whole area;
- (6) To co-operate with all other Council bodies and, where deemed necessary, to submit constructive proposals in the furtherance of the objects of the organisation;
- (7) To confer or co-operate with any other public organisation having similar aims in the furtherance of its objects.

3. Classes of Members

The members of the organisation shall consist of ordinary members, life members and honorary members.

4. Membership

- (a) The number of ordinary members and life members shall be unlimited;
 - (b) Subject to this Constitution any person who is not less than fourteen years of age shall be eligible to become a member of the organisation upon payment or tender to the organisation of his or her annual subscription for the current financial year;
 - (c) No member shall be eligible to take an active part in any meeting until he (or she) has been a financial member for at least one calendar month.
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5. Life Members

- (a) The organisation may from time to time, at any annual or general meeting, determine the fee to be paid by any member desiring to compound for his annual subscription and become a life member of the organisation;
- (b) Any ordinary member upon payment of the fee as determined by paragraph (a) shall be entitled to become a life member, having all the privileges appertaining to any ordinary member of the organisation without payment of the annual subscription. Save as aforesaid a life member shall be subject to all the provisions of this constitution.

6. Honorary Members

- (a) All residents who in the opinion of the Committee hereinafter referred to, who have distinguished themselves by meritorious service in the furtherance of the objects of the organisation may be elected to honorary membership in the organisation;
- (b) Honorary members shall be exempt from payment of subscriptions, but save as aforesaid shall have the same rights and privileges of all ordinary and life members previously referred to.

7. Annual Subscriptions

- (a) The annual subscription for each financial year shall be fifty cents (50¢) or such other sum in lieu thereof as the members at any annual or general meeting may from time to time determine.
- (b) The annual subscription shall be payable in advance on the First day of January in every financial year after which no resignation, termination or forfeiture of membership shall exempt a former member from payment of the current year's subscription.
- (c) Payment or tender of the annual subscription shall be made to the Secretary personally or through the post addressed to the Secretary.
- (d) A financial member at any material time is a member who is not then indebted to the organisation in respect of any annual subscription or levy or other payment whatsoever.
- (e) Only those members who are financial members at the time shall be entitled, subject to the lawful procedure of the meeting to speak or vote upon any motion at any annual or general meeting of the organisation.
- (f) A member who is in arrears with his annual subscription for twelve (12) calendar months shall be deemed to have forfeited his membership but the Committee, or on appeal from an adverse decision of the Committee, the members may reinstate him on payment of the amount due.

8. Admission and Rejection of Ordinary Members

- (a) All applicants for membership shall be nominated by two financial members. The application for membership shall be in such form and shall contain such particulars as the Committee may from time to time reasonably prescribe.

The application form shall be deposited with the Secretary with the applicant's annual subscription for the current financial year.

- (b) Admission to ordinary membership shall be by election of the Committee, or, upon appeal, by the members. At the Committee meeting next following the payment of tender to the Secretary of the annual subscription for the current financial year as provided by this Constitution, the Committee shall consider the application of each applicant and shall elect or reject him as a member.

Any applicant who received a majority of the votes of the members of the Committee present at the meeting at which his or her application is being considered shall be declared elected by the Chairman as an ordinary member.

- (c) Upon the election or rejection of an application for membership the Secretary shall forthwith give to him notice in writing of such election or rejection.

9. Appeal Against Rejection of Membership

- (a) A person whose application for membership has been rejected may, within one month after receiving written notification of such rejection, appeal against the decision of the Committee to a general meeting of the members of the Association held for the purpose of determining that appeal.

Notice in writing of his intention to appeal shall be given to the Secretary.

The Committee shall convene such a general meeting so that the general meeting is held within three months of the date of receipt by the Secretary of a notice to appeal, at a time suitable to the majority of members to attend thereat.

At such meeting the appellant shall be given the opportunity to fully present his case either orally or in writing or partly by one of these means and partly by the other and the Committee or those members thereof who rejected the application shall subsequently likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the majority of the financial members present at that meeting.

- (b) Where a person, whose application is rejected, does not within the time prescribed by this constitution, appeal against the decision of the Committee, or so appeals but his appeal is unsuccessful, the Secretary shall refund to him the amount of the annual subscription paid to the Secretary.

10. Termination of Membership

A member may resign from the organisation at any time by giving notice in writing to the Secretary. Such resignation shall only take effect at the time when such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.

11. If a member :

- (1) is convicted in a Court of Law of an indictable offence;
or
- (2) fails to comply with any of the provisions of this constitution;
or
- (3) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the organisation,

the Committee shall be given a full and fair opportunity of presenting his case and if the Committee resolves to terminate his membership they shall instruct the Secretary to advise the member accordingly. The member may, within one month after receiving such written notification, appeal to a general meeting of members.

Notice in writing of his intention to appeal shall be given to the Secretary.

The Committee shall convene a general meeting so that such meeting is held within three months of the date of receipt by the Secretary of a notice of intention to appeal, at a time suitable to the majority of members, to attend thereat.

At such meeting the appellant shall be given the opportunity of fully presenting his case either orally or in writing or partly by either of these means and the Committee or those members whereof who intend to terminate his membership shall subsequently likewise have the opportunity of presenting its or their case.

The appeal shall be determined by the vote of a majority of the financial members present at that meeting.

Where a person, whose membership the Committee intends to terminate, does not appeal against the decision within the time provided by this constitution, or so appeals but his appeal is unsuccessful, the membership of that person shall thereupon be deemed to be terminated.

12. Register of Members

- (a) The Committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the organisation and the dates of admission.
- (b) Particulars shall also be entered of resignations, termination and reinstatement of membership and any further particulars as the Committee or the members at any annual or general meeting may require from time to time.
- (c) The Register of Members shall be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for such inspection.

13. Management

The general control and management of the administration of the organisation shall be by a "Committee of Management" consisting of a President, Vice-President, Secretary, Treasurer and such number of the committee members of the organisation at any annual general meeting may from time to time appoint.

- 14. At the annual general meeting of the organisation, all the members of the Committee for the time being shall retire from office, but shall be eligible for re-election.
- 15. Any member of the Committee may resign at any time from membership of the Committee by notice in writing delivered to the Secretary but such resignation shall only take effect at the time when such notice is received by the Secretary unless some later date is specified in the notice when it shall take effect on that later date or he may be removed from office at a general meeting of the organisation convened for that purpose.

At any such general meeting the member shall be given the opportunity to fully present his case either orally or in writing or partly by either of these means. The question of removal shall be determined by the vote of the majority of the financial members present at such general meeting.

16. Vacancies on Committee

The Committee shall have power to appoint a financial member who may or may not then be a member of the Committee to fill any casual vacancy on the Committee until the next annual general meeting. Where a member of the Committee is so appointed, then the Committee may fill the vacancy caused by such appointment by a financial member who is not then a member of the Committee.

Every member so appointed shall retire at the next annual general meeting but shall be eligible for election as a member of the Committee at such meeting.

17. Functions of the Committee

Except as otherwise provided by this constitution and subject to resolutions of the members of the organisation carried at any annual or general meeting the Committee :

(a) shall have the general control and management of the administration of the affairs, property and funds of the organisation,

and

(b) shall have authority to interpret the meaning of this constitution and any matter relating to the organisation on which this constitution is silent.

18. Meetings of the Committee

(a) The Committee shall meet ^{at least} once in every two (2) months to exercise its functions.

(b) A special meeting of the Committee shall be convened by the Secretary on the requisition in writing of not less than three members of the Committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.

(c) At every meeting of the Committee five (5) members of the Committee shall constitute a quorum.

(d) Subject as previously provided in this Rule, the Committee may meet together and regulate the proceedings as it thinks fit.

(e) Not less than fourteen days notice shall be given to members of the Committee of any special meeting of the Committee.

19. Annual General Meetings or General Meetings

(a) Subject to this constitution, the annual general meeting shall be held in the month of February in each year.

(b) The business to be transacted at every annual general meeting shall be :

1. The receiving of the Committee's report and the balance sheet and statement of accounts for the preceding financial year;
2. The receiving of the auditor's report upon the books and accounts for the preceding financial year;
3. The election of members of the Committee;
4. The appointment of an auditor.

20. At the annual general meeting nine (9) members shall constitute a quorum and at a general meeting five (5) members shall constitute a quorum.

21. The Secretary shall :

1. When directed to do so by the Committee;

or

2. Upon being given a requisition in writing signed by not less than two (2) members of the Committee or not less than two (2) ordinary members and clearly stating the purpose for which the general meeting is desired;

or

3. Upon being given a notice in writing of appeal against the decision of the Committee to reject an application for membership or of intention to terminate the membership of any new person,

convene a general meeting of members.

22. The Secretary shall convene all annual and general meetings of organisation by giving not less than fourteen days notice of such meetings.

The manner by which such notice is given shall be determined by the Committee.

23. Unless otherwise provided by this constitution, at every annual and general meeting :

1. The President shall be chairman and in his absence a chairman shall be elected by resolution of a majority of the financial members present at the meeting.

2. The chairman shall maintain order and conduct the meeting in a proper and orderly manner.

3. Every question, matter or resolution shall be decided by a majority of votes of the financial members present.

4. Every financial member present shall be entitled to one vote and in the case of an equality of votes the chairman shall have a second or casting vote.

5. Voting shall be by a show of hands or a division of members unless not less than five financial members present demand a ballot, in which event there shall be a secret ballot.

The Chairman shall appoint two members to conduct the secret ballot in such manner as he shall determine and the result of the ballot as declared by the chairman shall be deemed to be the resolution of the meeting at which the ballot was demanded.

6. The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every Committee meeting, annual meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection.

24. By-Laws

The Committee may from time to time make, amend or repeal by-laws, not inconsistent with this constitution, for the better management of the organisation and any by-laws may be set aside by a general meeting of members.

25. Alteration of Constitution

This constitution may be amended from time to time by a resolution carried at any annual or general meeting.

26. Trustees

There shall be two (2) Trustees who shall be elected at an annual or general meeting and shall hold office until death or resignation unless removed from office.

A Trustee may resign at any time by giving written notice of his resignation to the Secretary or he may be removed from office by resolution carried at any annual or general meeting.

At any meeting at which it is proposed that a Trustee be removed from office, the Trustee shall be given the opportunity to present his case either orally or in writing or partly by either of these means.

The Committee shall have authority to fill a vacancy in the Trustees until the next annual meeting or general meeting convened for the purpose.

The property of the organisation (other than funds or cash on hand) shall be vested in the Trustees for the time being and be dealt with by them as the Committee, or a majority of members by resolution at an annual or general meeting, may from time to time direct.

Every Trustee shall be entitled to attend any annual or general meeting but shall not, as such Trustee, be entitled to vote.

27. Funds

- (a) The income and property of the organisation shall be applied to the promotion of its objects.
- (b) The funds of the organisation shall be banked in the name of the organisation in such Bank as the Committee may from time to time direct.
- (c) Proper books and accounts shall be kept and maintained showing correctly the financial affairs of the organisation and the particulars usually shown in books of a like nature.

- (d) All moneys shall be banked as soon as practicable after receipt of them.
- (e) All amounts of \$2.00 or over shall be paid by cheque signed by any two of the President, Secretary, or Treasurer.
- (f) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.
- (g) The Committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (h) Accounts for payment shall be presented and passed at a Committee meeting.
- (i) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement of receipts and payments and income and expenditure and a balance sheet for the financial year just ended.

All such statements shall be examined by the auditor who shall present his report upon such audit to the Secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.

- (j) No honorarium shall be granted to any person from the funds of the organisation and no dividend shall be paid to, and no income or property of the organisation shall be distributed amongst the members.

28. Financial Year

The financial year of the organisation shall close on 31 December in each year.

29. Dissolution

The organisation shall be dissolved :

- (a) If the membership is less than three persons;
or
- (b) If a resolution to that effect is carried by a vote of a three-fourths majority of the financial members present at a general meeting convened to consider the question.

The property and other assets of the organisation remaining after the payment of all expenses and other liabilities shall be handed over to some other organisation or organisations (having similar objects or, in part similar objects) and exempted under the provisions of Section 78(1) (a) of the Income Tax Assessment Act the majority of members present at such general meeting, by resolution, may decide.