

THE CONSTITUTION OF THE NEW SOUTH WALES SPORT AIRCRAFT CLUB

The Constitution set out in this document is based on the Model Constitution included as Schedule 1 of the Associations Incorporation Regulation 2010 as amended by the New South Wales Sports Aircraft Club. This Constitution has been the subject of affirmative votes of special resolutions at a special General Meeting held on the 18th day of January 2015 at Wedderburn Airfield.

Signed: 

Jock Anderson

Honorary Secretary:

New South Wales Sport Aircraft Club

18 January 2015

THE CONSTITUTION OF THE NEW SOUTH WALES SPORT AIRCRAFT CLUB INCORPORATED.

OBJECTIVES OF THE CLUB

General

To foster and promote recreational and competitive flying of sport aircraft of all categories, designs and types.

Social

To foster and promote social interaction of club members and also between members and a like-minded wider community.

Discrimination

The NSW Sport Aircraft Club is an anti-discrimination Club. It does not tolerate discrimination against any person:-

- because of their race, colour, descent, national or ethnic origin, nor religion
- nor because of their gender, sexual preference, marital status or state of pregnancy
- nor because of a disability
- nor their age

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CONTENTS of CONSTITUTION

Part 1:Preliminary

1: Definitions

In this Constitution:-

- (a) *Director-General* means the Director-General of the Department of Services, Technology and Administration.

The association means The N.S.W. Sport Aircraft Club.

Ordinary member of the committee means a member of the committee who is not an office-bearer of the association, as referred to in Constitution 14 (b).

Secretary means:

- (i) The person holding office under this Constitution as secretary of the association, or
- (ii) If no such person holds that office-the public officer of the association.

Special general meeting means a general meeting of the association other than an annual general meeting.

The Act means *the Associations Incorporation Act 2009*.

The Regulation means *the Associations Incorporation Regulation 2010*.

- (b)
 - (i) A reference to a function includes a reference to a power, authority and duty, and
 - (ii) A reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.
- (c) The provisions of the *Interpretation Act 1987* apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.

Part 2:Membership

2. Membership generally

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 by the Committee for membership of the association in accordance with Paragraph 3.

3: Nomination for membership

- (a) To become a member of NSW SAC a person must be nominated and seconded, either by:-
 - (i) Two financial members of the association, or,
 - (ii) Two other reputable referees, and,
 - (iii) The nomination must be lodged, in writing, with the secretary of the association in a membership form obtainable from the secretary.
- (b) 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.
- (c) As soon as practicable after the committee makes that determination, the secretary must:
 - (i) Notify the nominee, in writing, that the committee approved or rejected the nomination (whichever is applicable), and
 - (ii) If the committee approved the nomination, request the nominee to pay (within the period of 2 calendar months after receipt by the nominee of the notification) the sum payable under this Constitution by a member as entrance fee and annual subscription.
- (d) The secretary must, on payment by the nominee of the amounts referred to in Paragraph 3(c) within

the period referred to in that provision, enter the nominees name in the register of members and, on the name being so entered, the nominee becomes a member of the association, subject to the provisions of this Constitution.

4: Cessation of membership

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

- (a) dies or
- (b) resigns membership, or
- (c) is expelled from the association, or
- (d) fails to pay the annual membership fee under Paragraph 8 (b) or any other fees outstanding within 2 months of the due date.

5: Membership entitlements not transferable

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

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

6: Resignation of membership

- (a) A member of the association is not entitled to resign that membership except in accordance with this Paragraph.
- (b) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by first giving to the secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (c) If a member of the association ceases to be a member under Paragraph (b) 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

- (a) 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 a member of the association together with the date on which the person became a member.
- (b) The register of members must be kept in New South Wales:
 - (i) at the main premises of the association, or
 - (ii) if the association has no premises, at the association's official address.
- (c) The register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (d) A member of the 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.
- (e) 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.
- (f) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:

- (i) 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
- (ii) any other purpose necessary to comply with a requirement of the Act or the Regulation.

8: Fees and subscriptions

- (a) 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.
- (b) In addition to any amount payable by the member under Paragraph 8 (a), a member of the association must pay to the association an annual membership fee of \$2 or, if some other amount is determined by the committee, that other amount,
 - (i) except as provided by Paragraph 8 (b)(ii), before 1st March in each calendar year, or
 - (ii) if the member becomes a member on or after 1st March in any calendar year-on becoming a member and before 1st March in each succeeding calendar year.
 - (iv) should fees identified under Paragraph (b) (i) remain unpaid on 1st March, an additional premium as determined by the committee will become payable.

9: Members' liabilities

The liability of a member of the association to contribute towards 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 Paragraph 8.

10: Resolution of internal disputes

- (a) Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.
- (b) At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

11. Disciplining of members

- (a) A complaint may be made to the committee by any person that a member of the association:
 - (i) has refused or neglected to comply with a provision or provisions of this constitution, or
 - (ii) has wilfully acted in a manner prejudicial to the interests of the association.
- (b) The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (c) If the committee decides to deal with the complaint, the committee:
 - (i) must cause notice of the complaint to be served on the member concerned, and
 - (ii) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
 - (iii) must take into consideration any submissions made by the member in connection with the complaint.
- (d) 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.

- (e) 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 the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under Paragraph 12.
- (f) The expulsion or suspension does not take effect:
 - (i) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - (ii) if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under Paragraph 12, whichever is the later

12. Right of appeal of disciplined member

- (a) A member may appeal to the association in general meeting against a resolution of the committee under Paragraph 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (b) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (c) On receipt of a notice from a member under sub Paragraph 12(a), the secretary must notify the committee, which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- (d) At a general meeting of the association convened under sub Paragraph 12(c):
 - (i) no business other than the question of the appeal is to be transacted, and
 - (ii) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - (iii) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (e) The appeal is to be determined by a simple majority of votes cast by members of the association.

Part:3 The Committee

13: Powers of the committee

The committee is to be called the committee of management of the association and, subject to the Act, the Regulation and this Constitution, and to any resolution passed by the association in general meeting:

- (a) is to control and manage the affairs of the association;
- (b) 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
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

14: Composition and membership of the Committee

- (a) Subject in the case of the first members of the committee to section 21 of the Act, the committee is to consist of:
 - (i) the office-bearers of the association; and
 - (ii) six ordinary members, all of whom shall be financial members of the association and, each of whom is to be elected at the annual general meeting of the Association under Paragraph 15.
- (b) The office-bearers of the association are to be:-

- (i) the President;
 - (ii) *Deleted*;
 - (iii) the Treasurer; and
 - (iv) the Secretary.
- (c) Each member of the committee is, subject to this Constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (d) In the event of a casual vacancy occurring in the membership of the committee, the committee 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.

15: Election of members of the Committee

- (a) Nominations of candidates for election as office-bearers of the association or as ordinary members of the committee:
- (i) must be made in writing, signed by two financial members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and,
 - (ii) 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 the election is to take place.
- (b) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected.
- (c) If insufficient nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- (d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (e) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (f) The ballot for the election of office-bearers and ordinary members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (g) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association.

16: Secretary

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

17: Treasurer

It is the duty of the treasurer of the association to ensure:

- (a) that all money due to the 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 on the Committee

For the purposes of this Constitution, 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 an insolvent under administration within the meaning of the Corporations Law; or
- (d) resigns office by notice in writing given to the secretary; or
- (e) is removed from office under Paragraph 19; or
- (f) becomes a mentally incapacitated person; or
- (g) is absent without the consent of the committee from all meetings of the committee held during a period of six months.

19: Removal of member of the Committee

- (a) The association in general meeting may by resolution passed by a majority of two thirds of those financial members present and voting remove any member of the committee from the office of member before the 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.
- (b) If a member of the committee to whom a proposed resolution referred to in Paragraph 19(a) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the 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 require that the representations be read out at the meeting at which the resolution is considered.

20: Meetings and quorum

- (a) The committee must meet at least three times in each period of 12 months at such place and time as the committee may determine.
- (b) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (c) 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.
- (d) Notice of a meeting given under Paragraph 20(c) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (e) Any three members of the committee or such greater number as fixed by the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (f) 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 and at the same hour of the same day in the following week.

- (g) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (h) At a meeting of the committee:
 - (i) the president is to preside, or
 - (ii) if the president is 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

- (a) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such 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:
 - (i) this power of delegation, and
 - (ii) a function, which is a duty, imposed on the committee by the Act or by any other law.
- (b) A function the exercise of which has been delegated to a sub-committee under this Paragraph may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (c) A delegation under this section 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.
- (d) Despite any delegation under this Paragraph, the committee may continue to exercise any function delegated.
- (e) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this Paragraph has the same force and effect as it would have if it had been done or suffered by the committee.
- (f) The committee may, by instrument in writing, revoke wholly or in part any delegation under this Paragraph.
- (g) A sub-committee may meet and adjourn, as it thinks proper.

22: Voting and decisions

- (a) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (b) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) 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.
- (c) Subject to Para 20 (e), the committee may act despite any vacancy on the committee.
- (d) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

Part 4: General meetings

23: Annual General Meetings-holding of,

- (a) The association must hold its first annual general meeting within 18 months after its registration under the Act.
- (b) The association must hold its annual general meetings:
 - (i) within 6 months after the close of the association's financial year, or
 - (ii) within such later time as may be allowed by the Director-General or prescribed by the

Regulation.

24: Annual general meetings-calling of, and business at,

- (a) The annual general meeting of the association is, subject to the Act and to Paragraph 23, to be convened in March each year and at such place and time as the committee thinks fit.
- (b) In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (i) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (ii) to receive from the committee reports on the activities of the association during the last preceding financial year,
 - (iii) to elect office-bearers of the association and ordinary members of the committee,
 - (iv) to receive and consider any financial statement or report required to be submitted to members under the Act.
- (c) An annual general meeting must be specified as such in the notice convening it.

25:Special General Meetings, calling of,

- (a) The committee may, whenever it thinks fit convene a special General Meeting of the association.
- (b) The committee must, on the requisition in writing of at least five per cent of the total number of members, convene a special general meeting of the association.
- (c) A requisition of members for a special general meeting:
 - (i) must state the purpose or purposes of the meeting, and
 - (ii) must be signed by the members making the requisition, and
 - (iii) must be lodged with the secretary, and
 - (iv) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (d) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than three months after that date.
- (e) A special general meeting convened by a member or members as referred to in Paragraph 25(d) must be convened as nearly as is practicable in the same manner as the committee convenes general meetings.

26: Notice of General Meeting

- (a) 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 the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (b) 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 the general meeting, cause notice to be given to each member specifying, in addition to the matter required under Paragraph 26(a), the intention to propose the resolution as a special resolution.
- (c) 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 that may be transacted under Paragraph 24(b).

- (d) A member desiring to bring any business before 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 Meetings

- (a) 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.
- (b) Ten members present in person (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (c) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
- (i) if convened on the requisition of members, is to be dissolved, and
 - (ii) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the 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.
- (d) 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 (being at least three) is to constitute a quorum.

28: Presiding member

- (a) The president is to preside as chairperson at each general meeting of the association.
- (b) If the president is absent or unwilling to act, the members present must elect one of their numbers to preside as chairperson at the meeting.

29: Adjournment

- (a) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of 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.
- (b) If a general meeting is adjourned for 30 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 time of the meeting and the nature of the business to be transacted at the meeting.
- (c) Except as provided in Paragraph 29(a) and 29(b), 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

- (a) A question arising at a general meeting of the association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried 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) At a general meeting of the association, a poll may be demanded by the chairperson or by at least three members present in person at the meeting.
- (c) If a poll is demanded at a general meeting, the poll must be taken:
- (i) immediately, in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or

- (ii) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

31: Special resolution

A resolution of the association is a special resolution:

- (a) If it is passed by a majority which comprises at least three-quarters of such members of the association as, being entitled under this Constitution so to do, vote in person or by postal vote 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 this Constitution, or
- (b) Where it is made to appear to the Director-General that it is not practicable for the resolution to be passed in the manner specified in Paragraph (a), if the resolution is passed in a manner specified by the Director-General.

32: Voting

- (a) On any question arising at a general meeting of the association a member has one vote only.
- (b) All votes must be given personally or by post.
- (c) In the 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.
- (d) A member or postal voter is not entitled to vote at any general meeting of the association unless all money due and payable by the member of the association has been received by the treasurer.

33:Postal Voting

Postal Voting will be carried out in accordance with the Associated Incorporation Regulation 2010 Schedule 3.

The returning officer must, at least 14 days (or 21 days in the case of a special resolution) before the date fixed for the closing of the ballot, send by post or otherwise deliver to every member entitled to, and requesting a vote in the ballot, one set of the following material:

- (a) one ballot paper,
- (b) an envelope (in this Schedule referred to as "the outer envelope") addressed to the returning officer and the reverse side of which is noted or printed with the name and address of the member,
- (c) a small envelope (in this Schedule referred to as "the inner envelope") in which the ballot paper is to be enclosed,
- (d) a copy of a statement prepared by the board setting out the terms of the resolution,
- (e) in the case of a special resolution - a copy of a statement to the effect that the resolution is intended to be passed as a special resolution."

34: Proxy Voting

Not permitted

Part 5:Miscellaneous

35: Insurance

- (a) The association must effect and maintain insurance under section 44 of the Act.

- (b) In addition to the insurance required under Paragraph (a), the association may effect and maintain other insurance.

36: Funds-source

- (a) The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- (b) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (c) The association must, if requested and as soon as practicable after receiving any money, issue an appropriate receipt.

37: Funds-Management

- (a) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.
- (b) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two members of the committee or employees of the association, being members or employees authorised to do so by the committee.

38: Alteration of Objects and Constitution

The statement of Objects and this Constitution may be altered, rescinded or added to only by a special resolution of the association.

39: Common Seal

- (a) The common seal of the association must be kept in the custody of the public officer.
- (b) The common seal must not be affixed to any instrument except by the authority of the committee and the affixing of the common seal must be attested by the signatures either of two members of the committee or of one member of the committee and of the public officer or secretary.

40: Custody of books

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

41: Inspection of books

The records, books and other documents of the association must be open to inspection, free of charge, by a member of the association at any reasonable hour.

42: Service of notices

- (a) For the purpose of this Constitution, a notice may be served on or given to a person:
- (i) by delivering it to the person personally, or
 - (ii) by sending it by pre-paid post to the address of the person, or
 - (v) 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.

- (b) For the purpose of this Constitution, a notice is taken, unless the contrary is proved, to have been given or served:-
- (i) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (ii) 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,
 - (iii) 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: Intentionally left blank

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50: Financial year

The financial year of the association is:

- (a) The period of time commencing on the date of incorporation of the association and ending on the following 31 January and,
- (b) each period of 12 months after the expiration of the previous financial year of the association, commencing on 1 February and ending on the following 31 January.

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

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