



Constitution

“Rules and by-laws of the Wilson Residents and Ratepayers’ Association Inc”

A. Name

The name of the Association is the **Wilson Residents & Ratepayers’ Association Inc** (hereinafter referred to as “the Association”).

B. Objectives of the Association

The objectives of the Association are:

1. To bring about civic improvement in the area, whose boundaries are defined in Appendix A;
2. To liaise with the local Council and Councillors so as to promote the objectives of the Association;
3. To promote interaction between the residents and ratepayers of Wilson and the State Government; and
4. To co-operate with any other Association or body whose objectives are similar to the objectives of this Association.

C. Powers of the Association

1. To seek nominations to the Association according to the requirements of Rule 3;
2. To obtain non-voting representation to the Association from various instrumentalities of the Crown, where in the opinion of the Association these persons can contribute usefully to achieve the objects of the Association;
3. To raise funds for the purpose of meeting the objects of the Association;
4. To seek community input into actions of the Association; and
5. To seek assistance of local government agencies and instrumentalities of the Crown.

PART 1 — PRELIMINARY

1. Definitions

In these Rules unless the contrary intention appears:

- “**The Act**” refers to the *Associations Incorporation Act 2015*;

- **“Committee member”** means a member of the committee;
- **“Executive Committee”** means the group of persons who hold Office Bearer positions, as listed in rule 7;
- A **“Chair”** may be nominated by the President to preside over meetings in place of the President as described in Rule 13.4.
- **“Financial year”** shall be from the 1st of July and end on the 30th of June annually;
- **“Financial records”** includes
 - (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
 - (b) documents of prime entry; and
 - (c) working papers and other documents needed to explain —
 - the methods by which financial statements are prepared; and
 - adjustments to be made in preparing financial statements;
- **“Financial statements”** means the financial statements in relation to the Association required under Part 5 Division 3 of the Act;
- **Grievance procedure** means the procedures set out in rules 8 and 9;
- **“Member”** means a person (including a body corporate) who is an ordinary member or an associate member of the Association;
- **“Ordinary committee member”** means a committee member who is not an office bearer of the Association under rule 14.2;
- **Party to a dispute** includes a person
 - who is a party to the dispute; and
 - who ceases to be a member within 6 months before the dispute has come to the attention of each party to the dispute.
- **“Register of members”** means the register of members referred to in section 53 of the Act;
- **“Special general meeting”** means a general meeting of the Association other than the annual general meeting.

PART 2 — ASSOCIATION TO BE NOT FOR PROFIT BODY

2. Not-for-profit body

2.1 The property and income of the Association must be applied solely towards the promotion of the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.

- 2.2 A payment may be made to a member out of the funds of the Association only if it is authorised under sub-rule 2.3.
- 2.3 A payment to a member out of the funds of the Association is authorised if it is —
- (a) the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or
 - (b) the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association.

PART 3 — MEMBERS

3 Membership of the Association

- 3.1 Membership is open to any person who has attained the age of Eighteen (18) years and who is a resident or property owner in the area referred to in Appendix A.
- 3.2 An applicant for membership of the Association becomes a member when —
- (a) the committee accepts the application; and
 - (b) the applicant pays the annual subscription fee.
- 3.3 The annual subscription shall fall due and shall be set at each Annual General Meeting.
- 3.4 A person wishing to become a member shall subscribe for membership by completing a membership subscription form.
- 3.5 A member is entitled to exercise all the rights and privileges of membership, including the right to vote (if applicable), and must comply with all of the obligations of membership under these rules.
- 3.6 A member of the Committee, or a member of the Association is not liable in respect of the Association.
- 3.7 The Association's current rules will be available to members via the Association's website.

4 Register of Members

- 4.1 The Treasurer shall keep a register of members recording the full name, address, date of entry and receipt number of each. Additional information such as contact details (Phone, E-Mail) may be kept if available and at the Treasurer's discretion.
- 4.2 Any change to the register must be recorded by the next committee meeting, after the change occurs.
- 4.3 The format and underlying mechanism of the register is at the discretion of the Treasurer and may be electronic, however, a paper copy must be able to be produced upon request.
- 4.4 A list of members can be made available upon request for perusal by any financial member. Any request shall be in writing, setting out the reasons for the request.
- 4.5 No written list shall be given without approval of the Executive Committee.

5. Cessation of Membership

5.1 A person ceases to be a member when any of the following takes place —

- (a) The person dies; or
- (b) the person resigns from the Association; or
- (c) the person is expelled from the Association under rule 6.5; or
- (d) the person fails to pay fees in accordance with rule 3.2.

PART 4 — DISCIPLINARY ACTION, DISPUTES AND MEDIATION

6 Suspension or expulsion

6.1 The committee may decide to suspend a member's membership or to expel a member from the Association if —

- a) the member contravenes any of these rules; or
- b) the member acts detrimentally to the interests of the Association.

6.2 The secretary must give the member written notice of the proposed suspension or expulsion at least 28 days before the committee meeting at which the proposal is to be considered by the committee.

6.3 The notice given to the member must state

- a) when and where the committee meeting is to be held; and
- b) the grounds on which the proposed suspension or expulsion is based; and
- c) that the member, or the member's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion;

6.4 At the committee meeting, the committee must —

- a) give the member, or the member's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion; and
- b) give due consideration to any submissions so made; and
- c) decide whether or not to suspend the member's membership and, if the decision is to suspend the membership, the period of suspension; or
- d) whether or not to expel the member from the Association.

6.5 A decision of the committee to suspend the member's membership or to expel the member from the Association takes immediate effect.

6.6 The committee must give the member written notice of the committee's decision, and the reasons for the decision, within 7 days after the committee meeting at which the decision is made.

6.7 A member whose membership is suspended or who is expelled from the Association may, within 14 days after receiving notice of the Committee's decision under rule 6.5, give written notice to the secretary requesting the appointment of a mediator under rule 11.

6.8 If notice is given under rule 6.7, the member who gives the notice and the committee are the parties to the mediation.

7 Consequences of suspension

7.1 During the period a member's membership is suspended, the member —
(a) loses any rights (including voting rights) arising as a result of membership; and
(b) is not entitled to a refund, rebate, relief or credit for membership fees paid, or payable, to the Association.

7.2 When a member's membership is suspended, the secretary must record in the register of members:

- a) that the member's membership is suspended; and
- b) the date on which the suspension takes effect; and
- c) the period of the suspension.

7.3 When the period of the suspension ends, the secretary must record in the register of members that the member's membership is no longer suspended.

8. Resolving disputes

8.1 The procedure set out in this section applies to disputes —
(a) between members; or
(b) between one or more members and the Association.

8.2 The parties to a dispute must attempt to resolve the dispute between themselves within 14 days after the dispute has come to the attention of each party.

8.3 If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 8.2, any party to the dispute may start the grievance procedure by giving written notice to the secretary of;
(a) the parties to the dispute; and
(b) the matters that are the subject of the dispute.

8.4 Within 28 days after the secretary is given the notice, a committee meeting must be convened to consider and determine the dispute.

8.5 The secretary must give each party to the dispute written notice of the committee meeting at which the dispute is to be considered and determined at least 7 days before the meeting is held.

8.6 The notice given to each party to the dispute must state
(a) when and where the committee meeting is to be held; and
(b) that the party, or the party's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute.

8.7 If the dispute is between one or more members and the Association; and any party to the dispute gives written notice to the secretary stating that the party —
(a) does not agree to the dispute being determined by the committee; and
(b) requests the appointment of a mediator under rule 11,
the committee must not determine the dispute.

9 Determination of dispute by committee

- 9.1 At the committee meeting at which a dispute is to be considered and determined, the committee must:
- a) give each party to the dispute, or the party's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the dispute; and
 - b) give due consideration to any submissions so made; and
 - c) determine the dispute.
- 9.2 The committee must give each party to the dispute written notice of the committee's determination, and the reasons for the determination, within 7 days after the committee meeting at which the determination is made.
- 9.3 A party to the dispute may, within 14 days after receiving notice of the committee's determination under rule 9.1(c), give written notice to the secretary requesting the appointment of a mediator under rule 11.
- 9.4 If notice is given under rule 9.3, each party to the dispute is a party to the mediation.

10 Mediation

- 10.1 This section applies if written notice has been given to the secretary requesting the appointment of a mediator;
- (a) by a member under rule 9.3; or
 - (b) by a party to a dispute under rule 8.7(b) or 9.3.
- 10.2 If this section applies, a mediator must be chosen or appointed under rule 11.

11 Appointment of mediator

- 11.1 The mediator must be a person chosen —
- (a) if the appointment of a mediator was requested by a member under rule 6.7 — by agreement between the Member and the committee; or
 - (b) if the appointment of a mediator was requested by a party to a dispute under rule 8.7(b) or 9.3 — by agreement between the parties to the dispute.
- 11.2 If there is no agreement for the purposes of rule 11.1(a) or (b), then, subject to rules 11.3 and 11.4, the committee must appoint the mediator.
- 11.3 The person appointed as mediator by the committee must be a person who acts as a mediator for another not-for-profit body, such as a community legal centre, if the appointment of a mediator was requested by —
- (a) a member under rule 6.7; or
 - (b) a party to a dispute under rule 8.7(b); or
 - (c) a party to a dispute under rule 9.3 and the dispute is between one or more members and the Association.
- 11.4 The person appointed as mediator by the committee may be a member or former member of the Association but must not —
- (a) have a personal interest in the matter that is the subject of the mediation; or
 - (b) be biased in favour of or against any party to the mediation.

12 Mediation process

- 12.1 The parties to the mediation must attempt in good faith to settle the matter that is the subject of the mediation.
- 12.2 Each party to the mediation must give the mediator a written statement of the issues that need to be considered at the mediation at least 5 days before the mediation takes place.
- 12.3 In conducting the mediation, the mediator must —
- (a) give each party to the mediation every opportunity to be heard; and
 - (b) allow each party to the mediation to give due consideration to any written statement given by another party; and
 - (c) ensure that natural justice is given to the parties to the mediation throughout the mediation process.
- 12.4 The mediator cannot determine the matter that is the subject of the mediation.
- 12.5 The mediation must be confidential, and any information given at the mediation cannot be used in any other proceedings that take place in relation to the matter that is the subject of the mediation.
- 12.6 The costs of the mediation are to be paid by the party or parties to the mediation that requested the appointment of the mediator.

13 If mediation results in decision to suspend or expel being revoked

- 13.1 If mediation takes place because a member whose membership is suspended or who is expelled from the Association gives notice under rule 6.7; and
- a) as the result of the mediation, the decision to suspend the member's membership or expel the member is revoked,
- that revocation does not affect the validity of any decision made at a committee meeting or general meeting during the period of suspension or expulsion.

PART 5 – COMMITTEE

14 Composition of the Committee

- 14.1 The committee shall consist of:
- a) the Executive Committee (office bearers) of the Association; and
 - b) at least one ordinary committee member.
- 14.2 The Executive Committee (office bearers) of the Association shall be:
- a) the President
 - b) the Vice President
 - c) the Secretary
 - d) the Treasurer.
- 14.3 The Committee shall determine the maximum number of members who may be ordinary committee members.

15 Duties of Committee Members and Office Bearers

15.1 A committee member must exercise his or her powers and discharge his or her duties in accordance with sections 44, 45 or 46 of the Act.

15.2 The duties and responsibilities of Office Bearers of the Association are shown in Appendix B to this Constitution.

16 Election of Office Bearers and Ordinary Members of the Committee and Tenure of Office

16.1 Executive Committee members (Office Bearers) and ordinary members of the Committee shall be members of the Association and shall be elected at each Annual General Meeting (AGM).

16.2 In addition to the Office Bearers (as described in Appendix B), up to six ordinary committee members may be elected at the AGM.

16.3 Nominations may be accepted verbally at the AGM if no written nominations are received. Candidates for election must complete the appropriate election nomination form.

16.4 Candidates for election, who are unable to be present at the Annual General Meeting (AGM), must give prior notice of their nomination in writing prior to the meeting in accordance with the election nomination form available on the Association's website.

16.5 Candidates for election must not be a prohibited person under section 39 of the Act (refer Appendix D).

16.6 Subject to rule 16.1, a committee member holds office until the positions on the committee are declared vacant at the next Annual General Meeting.

16.7 A committee member may be re-elected.

17 Resignation of Committee Members

17.1 A Committee Member should deliver notice in writing of his/her resignation from the Association to the members of the Executive Committee.

17.2 Where a person ceases to be a member of the Association's committee, that person is required, as soon as is practicable, deliver to a member of the committee, all of the relevant documentation or records, held by that person.

18 When Memberships of Committee Ceases

18.1 A person ceases to be a member of the committee if the person;

- dies or otherwise ceases to be a member, or
- resigns in accordance with rule 17.1, or
- becomes ineligible to accept an appointment or act as a committee member under section 39 of the Act, or

- becomes permanently unable to act as a committee member because of a mental or physical disability; or
- fails to attend 3 consecutive Committee meetings, of which the person has been given notice, without having notified the Committee that the person will be unable to attend.

18.2 Section 39 of the Act is listed at Appendix D.

19 Powers of the Committee

19.1 The Committee shall have the day to day control and management of the affairs and finances of the Association and shall be responsible to the Annual General Meeting.

19.2 The Committee may form sub-committees to deal with particular aspects of its work. Such sub-committees shall be responsible to the Committee. Sub-committees so formed shall each include at least one member of the Executive Committee.

19.3 The Executive Committee may appoint a member to fill a vacant position on the Executive Committee.

19.4 Nominations for vacant positions as mentioned in 19.3 must be formally endorsed at a Committee meeting by a simple majority of the Committee members present.

PART 6 – MEETINGS

20 Annual General Meeting

20.1 The Annual General Meeting (AGM) shall be held in the month of July each year. The place and time to be held to be determined by the Executive Committee.

20.2 The ordinary business of the annual general meeting is as follows —

- (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then if the minutes of that meeting have not yet been confirmed;
- (b) to receive and consider —
 - (i) the President’s annual report on the Association’s activities during the preceding financial year; and
 - (ii) the financial report of the Association for the preceding financial year;
- (c) to elect the office bearers of the Association and other committee members;
- (d) if applicable, to appoint or remove a reviewer or auditor of the Association in accordance with the Act;
- (e) to confirm or vary the membership fees to be paid by members.

20.3 Any other business of which notice has been given in accordance with these rules may be conducted at the annual general meeting.

20.4 Any Canning City Councillor or financial member may preside over the elections at the AGM, as determined by the outgoing President.

20.3 The new President shall preside over the remainder of the meeting once elected.

20.4 If no President is elected, or the elected President is unable to attend the AGM, a Chair shall be nominated to preside over the remainder of the meeting, and be approved by the majority of Committee members present at the meeting.

20.5 A member of the committee who has a material personal interest in a matter being considered at a committee meeting must, as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Committee.

20.6 The same rule applies for Special General Meetings and Committee meetings.

21 Special General Meetings

21.1 The committee may convene a special general meeting

21.2 The Secretary shall convene a Special Meeting when requested by a petition signed by not less than five (5) financial members of the Association or as directed by the Executive Committee.

21.3 The members requiring a special general meeting to be convened must;

- (a) make the requirement by written notice given to the secretary; and
- (b) state in the notice the business to be considered at the meeting; and
- (c) each sign the notice.

21.4 The only business dealt with by a Special Meeting will be that as outlined in the notice of the meeting.

22 Committee Meetings

22.1 Committee meetings shall be held at such times and places as determined by the Executive Committee.

22.2 The committee shall meet at least three times per year.

22.3 The President shall preside over the committee meeting.

22.4 The President may nominate a member of the Executive Committee to preside over meetings in their place.

22.5 If the member nominated by the President, is unable to chair a meeting, an "Alternative Chair" may be elected by the majority of Committee members present at the meeting.

22.6 If no President is elected, or the elected President is unable to attend the committee meeting, a Chair shall be nominated to preside over the meeting, and be approved by the majority of Committee members present at the meeting.

22.7 The order of business at a committee meeting may be determined by the committee members at the meeting.

22.8 Any member of the Association may attend a committee meeting, but are not able to vote on any motion.

23 Notice of Meetings

23.1 Annual General Meeting (AGM)

23.1.1 At least fourteen (14) days notice must be given.

23.1.2 Sufficient notice shall be deemed to be written notice to all members of the Association, together with a community notice published in one (or more) of the local newspapers and a notice on the homepage of the Association's website.

24.2 Committee Meeting

24.2.1 At least seven (7) days notice must be given to Committee members.

24.3 Special General Meeting

24.3.1 At least fourteen (14) days notice must be given, except when winding up of the Association is proposed when twenty-one (21) days notice is required.

24.4 Executive Committee Meeting

24.4.1 At least twenty-four (24) hours notice must be given.

25 Quorums

25.1 A quorum for Executive Committee meetings, and Committee meetings shall comprise fifty-one (51) percent of all duly elected committee members.

25.2 A quorum for a Sub-Committee meeting shall comprise fifty-one (51) percent of the nominated Sub-Committee members.

25.3 A quorum for the Annual General Meeting (AGM) shall comprise ten members.

25.4 A quorum for a special general meeting shall comprise ten members.

25.5 If a quorum is not present within 30 minutes after the notified commencement time of a general meeting;

(a) in the case of a special general meeting — the meeting lapses; or

(b) in the case of the annual general meeting — the meeting is adjourned to —

(i) the same time and day in the following week; and

(ii) the same place, unless the chairperson specifies another place at the time of the adjournment or written notice of another place is given to the members before the day to which the meeting is adjourned.

26 Voting

26.1 Annual General Meetings and Special General Meetings

26.1.1 Members shall be entitled to exercise one (1) vote on any resolution or election at a general meeting at which they are present and entitled to vote.

26.1.2 Voting shall be by simple majority except where otherwise expressly provided herein.

26.1.3 Voting shall be by show of hands but any two members shall be entitled to demand a division or poll. Unless a division is demanded a declaration by the Chairperson that a resolution has been carried shall be deemed a resolution of the Association.

26.1.4 In the event of a tied vote the motion will be lost, no resolution will be carried and matter discussed further at a subsequent Committee Meeting.

26.2 Committee Meetings

26.2.1 Each committee member present at a committee meeting has one vote on any question arising at the meeting.

26.2.2 A motion is carried if a majority of those present vote in favour.

26.2.3 Voting shall be by show of hands.

26.2.4 If the event of a tie, the Chairperson shall have a second or casting vote.

26.2.3 Any ordinary member present is not entitled to a vote.

PART 7 – FINANCIAL MATTERS

27 Finance

27.1 The funds of the Association may be derived from annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the committee.

27.2 All membership fees received are recorded in the Association's database system.

27.3 All other moneys received on behalf of the Association are recorded in the Association's banking records.

27.4 Payments made by the Association shall only be at the authority of an Executive or Committee Meeting; all such payments shall be by cheque or withdrawal forms signed by any two Executive Committee members.

27.5 The Treasurer shall prepare and certify a financial statement for presentation to each Committee Meeting of the Association and at other times as directed by the Executive Committee.

27.6 The Treasurer shall prepare a balance sheet and financial statement for presentation together with an annual report to each Annual General Meeting (AGM).

27.7 As a Tier 1 Association, members can pass a resolution that an audit of the accounts be completed.

27.8 If required, a person nominated by the Executive Committee shall audit the annual statement of Accounts and Balance Sheet of the Association and certify the accuracy of the financial report.

27.9 The Financial Year shall end on the last day of June each year.

27.10 Each subsequent financial year of the Association is the period of 12 months commencing at the termination of the first financial year or the anniversary of that termination.

PART 8 – GENERAL MATTERS

28 Common Seal of Association

28.1 The Association shall have a common seal on which its corporate name shall appear in legible characters.

28.2 The common seal of the Association shall not be used without the express authority of the Executive Committee and every use of that common seal shall be recorded in the minutes of the Committee meeting where express authority was granted.

28.3 The affixing of the common seal of the Association shall be witnessed by two members of the Executive Committee.

28.4 The common seal of the Association shall be kept in the custody of the Secretary.

29 Standing Orders and Rules of Debate

29.1 The standing orders and rules of debate to be observed at all General Meetings of the Association are shown in Appendix C.

30 Interpretation

30.1 The interpretation of the Constitution, “Rules and by-laws of the Wilson Residents and Ratepayers' Association Inc” shall be at the determination of the Executive Committee whose decision shall be binding on all members.

31 Alteration to Constitution and Rules

31.1 No new clauses may be added; nor shall any clause be amended, altered or rescinded unless by consent of two-thirds majority of the financial members present at an Annual General Meeting (AGM), Committee Meeting or Special Meeting.

31.2 At least twenty-one (21) days notice prior to the date of the meetings shall be given by the Secretary to financial members of the Association of any proposal to alter the Constitution or rules. Notice of such proposal shall be included in the notice convening the meeting at which the proposal is to be considered. Copies of new or amended clauses shall be made available for public viewing.

32 Winding Up

32.1 A Special General Meeting called for the purposes may, by a three quarters majority vote of the members present and eligible to vote, resolve to dissolve the Association. If such a resolution is confirmed by a similar majority at a subsequent Special Meeting held not less than twenty-one days thereafter, then the Association shall be deemed to be dissolved.

32.2 If on winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities, any property whatsoever, such property shall be given or transferred to any

organisation constituted with objectives similar to those of the Association, or in the absence of such an organisation, shall be disposed of to any charitable organisations as may be determined by the members present.

Signed

.....

Honorary President

.....

Honorary Secretary

Date:

APPENDIX A

BOUNDARIES

The boundaries of the Association shall be in the area as defined by the City of Canning for Wilson and adjacent parts of Cannington bounded by Albany Highway (west side), Manning Road (south side), Fleming Avenue (east side) and Mason Street.

APPENDIX B

DUTIES OF OFFICERS

1. The Honorary President shall act as head of the Executive Committee. He / she shall carry out the duties described in Rules 20.2 and 20.4 and Appendix C and is to preside at all meetings of the Association, unless the President nominates the Vice President or a Committee member to chair the meeting as outlined in Rule 22.4.
2. The Honorary Vice-President shall assist the President in the discharge of his or her duties.
3. The Honorary Secretary shall conduct the correspondence of the Association and shall have custody of its documents. His / Her duties are described in Rules 23, 28 and 31, including the keeping of correct minutes of proceedings and the giving notice of meetings and agendas.
4. The Honorary Treasurer shall be responsible for the implementation of Rule 4 and Part 7. He or she shall also carry out such duties, related to financial affairs of the Association, as may be decided from time to time by the Executive Committee.

APPENDIX C

STANDING ORDERS AND RULES OF DEBATE

The following order or procedure shall be adhered to as far as they are relevant at all meetings of the Association:

STANDING ORDER OF PROCEDURE

1. President (or a nominated Chairperson) shall take the Chair at the time appointed for the meeting, and, upon ascertaining that a Quorum is present, shall then declare the meeting open for the transaction of business.
2. The Chairperson shall cause the notice convening the meeting to be read.
3. Introduction and welcome to new members, visitors and observers.
4. Apologies and non-attendance.
5. Minutes of previous meeting(s). Minutes shall be presented for confirmation but no discussion shall be allowed except as to their accuracy as a record the proceedings.
6. Business arising out of previous minutes.

7. Inwards correspondence - received. Communications, letters, etc. shall be held as received unless a contrary motion be carried. Correspondence ruled as not received shall not be discussed. Correspondence may be read and dealt with as necessary. Outwards correspondence - tabled.
8. Reports: (including financial statement etc). Consideration and action. Note: Previously deferred or postponed reports should take precedence
9. Motions on Notice: No Notice entered on the Notice Paper shall be proceeded with unless the member / delegate who has given such Notice be present when business called in order. Notices not proceeded with shall be struck out.
10. Notice of Motion: Every member / delegate on giving Notice of Motion shall read it aloud and give to the Secretary a copy of such Notice together with his or her name and the date proposed for bring on such Notice. Notice of Motion shall be required for the rescission or alteration of By-laws, Standing Orders, Rules of Debate, a previous resolution or as stipulated by the Constitution.
11. Adjourned Business.
12. Business (as specified on the Agenda).
12. Other business.
14. Next Meeting(s).
15. Closure of Meeting.

APPENDIX D

SECTION 39 OF THE ACT

Under section 39 of the Act the following persons must not, without leave of the Commissioner, accept an appointment or act as a member of a management committee of an association:

- a) person who is, according to the Interpretation Act 1984 section 13D, a bankrupt or person whose affairs are under insolvency laws; or
- b) a person who has been convicted, within or outside the state, of
 - an indictable offence in relation to the promotion, formation or management of a body corporate; or
 - an offence involving fraud or dishonesty punishable by imprisonment for a period of not less than three months; or
 - an offence under Part 4 Division 3 or section 127 of the Act

Section 39 only applies to a person who has been convicted of the above offences only for a period of 5 years from the time of the person's conviction, or if the conviction results in a term of imprisonment, from the time of the person's release from custody.