



S.P.A.C.E. Incorporated

CONSTITUTION

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Part 1 – Preliminary

1. Name of Association

The name of the Association is S.P.A.C.E. Incorporated (hereinafter referred to as SPACE or the Association)

Supporting Programs for Awareness Creativity and Expansion

2. Objectives

SPACE is a non-profit association incorporated to produce Human Awareness Institute (HAI) and other complementary workshops.

Our Vision is to raise consciousness in a world of which current and future generations can be proud.

Our Mission is to create more conscious relationships in a safe environment that supports awareness, creativity and expansion.

Our Core Business is to sustainably administer, market and produce quality HAI and other complementary workshops.

Our core values are

- Abundance
- Authentic and Open Communication
- Integrity
- Love

SPACE is managed by a voluntary Management Committee of HAI Graduates who give their time, energy and expertise to run the association.

3. Non-Profit Declaration

SPACE operates as a non profit association under the guidelines laid out by the Australian Taxation Office as indicated below.

A non-profit organisation is one which is not operating for the profit or gain of its individual members, whether these gains would have been direct or indirect. This applies both while the organisation is operating and when it winds up.

The Tax Office accepts an organisation as non-profit if its constitution or governing documents prevent it from distributing profits or assets for the benefit of particular people – both while it is operating and when it winds up.

A non-profit organisation can still make a profit, but this profit must be used to carry out its purposes and must not be distributed to owners, members or other private people.

SPACE Non-profit Declaration

The assets and income of SPACE Inc shall be applied solely in furtherance of its above-mentioned objectives and no portion shall be distributed directly or indirectly to the members of the association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.

SPACE Dissolution Declaration

In the event of SPACE Inc being dissolved the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any organisation with similar purposes which is not carried for the profit or gain of its individual members.

4. Disclosure of Interests

- (1) If:
- (a) a committee member has a direct or indirect interest in a matter being considered or about to be considered at a committee meeting, and
 - (b) the interest appears to raise a conflict with the proper performance of the committee member's duties in relation to the consideration of the matter, the committee member must, as soon as possible after the relevant facts have come to the committee member's knowledge, disclose the nature of the interest at a committee meeting.
- (2) A disclosure by a committee member at a committee meeting that the committee member:
- (a) is a member, or is in the employment, of a specified company or other body, or
 - (b) is a partner, or is in the employment, of a specified person, or
 - (c) has some other specified interest relating to a specified company or other body or to a specified person, is a sufficient disclosure of the nature of the interest in any matter relating to that company or other body or to that person that may arise after the date of the disclosure and that is required to be disclosed under subsection (1).
- (3) Particulars of any disclosure made under this section must be recorded by the committee in a book kept for that purpose and that book must be open at all reasonable hours to inspection by any member of the association on payment of the fee determined by the committee (but not exceeding the maximum fee prescribed by the regulations).
- (4) The book must be kept at the same address as the register of committee members.
- (5) After a committee member has disclosed the nature of an interest in any matter, the committee member must not, unless the committee otherwise determines:
- (a) be present during any deliberation of the committee with respect to the matter
 - (b) take part in any decision of the committee with respect to the matter.
- (6) For the purposes of the making of a determination by the committee under subsection (5), a committee member who has a direct or indirect interest in a matter to which the disclosure relates must not:
- (a) be present during any deliberation of the committee for the purpose of making the determination, or
 - (b) take part in the making by the committee of the determination.
- (7) A contravention of this section does not invalidate any decision of the committee.

Pecuniary Interests

Pecuniary or financial interests may result from owning property, holding shares or positions in companies or trusts, debts owed to other people, receiving gifts, hospitality and sponsored travel. This list is not exhaustive.

It is not necessary for individuals to hold these interests themselves. A member of their family or close associate may hold them. This is seen to be the same as being an interest because of the closeness of the relationship.

It is not necessary that the Committee member would or will act in favour of their personal interest. If they are in a position of conflict, there is that temptation. The aim is to prevent situations arising.

Non-pecuniary Interests

There may also be interests which do not have a financial component (that is, non-pecuniary interests). These might include a personal interest arising out of relationships based on common interest such as sporting, social or cultural activities as well as family, sexual and other relationships.

5. Definitions

(1) In this constitution:

Director-General means the Director-General of the Department of Services, Technology and Administration.

secretary means:

- (a) the person holding office under this constitution as secretary of the association, or
- (b) 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*.

(2) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

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

Part 2 – Membership

6. Membership Generally

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

(2) Membership is open to participants of HAI and other complementary workshops or members of the general public who share common values with the Association.

(3) There shall be a membership fee for each member, the amount of which shall be reviewed at the first Management Committee Meeting following the Annual General Meeting. All membership fees are due payable by the anniversary date of the member joining SPACE.

(4) The member shall have one vote on any issue at any Special General Meeting convened by the Association. Non-financial members will not be eligible to vote in the election of Office Bearers or on nominated business at any General Meeting.

(5) Only financial members may nominate business for discussion at General Meetings.

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

7. Cessation of Membership

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

- (1) dies, or
- (2) resigns membership, or
- (3) is expelled from the association, or
- (4) fails to pay the annual membership fee within 3 months after the fee is due.

8. 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.

9. Resignation of membership

(1) A member of the association 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.

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

10. Register of members

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

(2) The register of members must be kept in New South Wales:

- (a) at the main premises of the association, or
 - (b) if the association has no premises, at the association's official address.
- (3) The register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (4) 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.
- (5) 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.
- (6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
- (a) 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
 - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

11. 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 winding up of the association is limited to the amount if any, fees unpaid by the member in respect of membership of the association as required by this section.

12. Life Membership

(1) Nominations will be recommended by the Management Committee for Life Membership, providing that such nominees shall have had five years consecutive membership and provided exceptional service to the Association. Such a vote must carry a majority of at least seventy five percent of financial members present and voting at the Annual General Meeting. Where exceptional service has been given to SPACE and the nominee is highly unlikely to be able to complete five years consecutive service, the whole of the Annual General Meeting may vote Life Membership upon this nominee. One person abstaining or voting against the nomination shall prohibit this nominee being granted Life Membership from that particular nomination.

- (7) Entitlements of life Membership:
- (a) Life Members to have all entitlements as ordinary financial members.
 - (b) Life Members are not required to pay membership fees.

13. Resolution of disputes

- (1) Disputes between members (in their capacity as members) of the Association and disputes between members and the Association, are to be referred to a Mediation Team for mediation with the view to resolve the dispute.
- (2) 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 Mediation Team.

(3) All relevant parties are to agree on the members of the Mediation Team. The Mediation Team is made up of SPACE members and must consist of three (3) members of the Management Committee.

(4) If a dispute is not resolved by mediation within 3 months of the referral the dispute is to be referred to arbitration.

(5) The *Commercial Arbitration Act 1984* applies to any such dispute referred to arbitration.

14. Disciplining of members

(1) Any member can be suspended by the Management Committee if they are in default to the Association financially and shall forfeit their right to vote or represent the Association in any way.

(2) The Management Committee shall have the right to mediate with any member thought to have brought the Association into disrepute with any other Association or any other person(s) who make complaint to the Management Committee of SPACE. This mediation process is defined in clause (c).

(3) The Management Committee will nominate a Mediation Team to deal with any issues under clause (b) as they arise. The Council shall consist of any three members of the Management Committee as selected by the Committee. The Mediation Team shall consider written and/or verbal testimony from both the complainant and the member concerned in any issue and shall impose discipline as it deems appropriate.

(4) Any member being asked to attend mediation and found to have brought the Association into disrepute shall have the right to appeal as indicated in Clause 12.

(5) 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.

(6) 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 clause 15.

(7) The expulsion or suspension does not take effect:

(a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or

(b) if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under clause 15, whichever is the later.

15. Right of appeal of disciplined member

(1) A member may appeal to the association in general meeting against a resolution of the committee under clause 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

(2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

(3) On receipt of a notice from a member under subclause (1), the secretary must notify the committee which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.

(4) At a general meeting of the association convened under subclause (3):

- (a) no business other than the question of the appeal is to be transacted, and
- (b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
- (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

(5) The appeal is to be determined by a simple majority of votes cast by members of the association.

Part 3 - The committee

16. Management Committee

(1) The affairs of the Association shall be governed by the Management Committee, which in addition to the powers and authorities expressly conferred upon it by the following rules, will create or amend policies and do all such things on behalf of the Association as considered to be beneficial to the Association.

(2) The Management Committee shall at all times be bound by the objectives of the Association.

(3) The Management Committee shall have the power to declare vacant any office of any member of the Management Committee absenting himself/herself, without reasonable excuse or without consent from three consecutive meetings.

(4) Should any office become vacant the Management Committee will invite members of the Association or Community to nominate to fill the vacancy. The person filling the casual vacancy shall hold the office until the next Annual General Meeting.

(5) The Management Committee shall have the power to appoint any sub-committee to represent and report on any matters coming within its jurisdiction.

17. Composition and membership of committee

The Management Committee of the Association shall be made up of the following office bearers:

- President
- Vice President
- Secretary
- Treasurer
- Marketing Manager
- Database Manager
- Web Manager
- Public Officer

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.

Election of all office bearers shall be by ballot at each Annual General Meeting.

18. Powers of the committee

Subject to the Act, the Regulation and this constitution and to any resolution passed by the association in general meeting, the committee:

- (a) is to control and manage the affairs of the association, and
- (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.

19. Election of committee members

(1) Nominations of candidates for election as office-bearers of the association:

- (a) must be made in writing and 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) The nomination must state which position the candidate is nominating for.

(2) If insufficient nominations are received to fill all vacancies on the committee, further nominations can be received at the annual general meeting.

(3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.

(4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

(5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

(6) The ballot for the election of office-bearers of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

(7) A person nominated as a candidate for election as an office-bearer must be a member of the association.

20. Secretary

(1) 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.

(2) It is the duty of the secretary to keep minutes of:

- (a) all appointments of office-bearers and members of the committee, and
- (b) the names of members of the committee present at a committee meeting or a general meeting, and
- (c) all proceedings at committee meetings and general meetings.

(3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

21. 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.

22. Casual vacancies

- (1) 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.
- (2) A casual vacancy in the office of a member of the committee occurs if the member:
 - (a) dies, or
 - (b) ceases to be a member of the association, or
 - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
 - (d) resigns office by notice in writing given to the secretary, or
 - (e) is removed from office under clause 19, or
 - (f) becomes a mentally incapacitated person, or
 - (g) is absent without the consent of the committee from 3 consecutive meetings of the committee, or
 - (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
 - (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

23. Removal of committee members

- (1) The association in general meeting may by resolution 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.
- (2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a negotiated 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.

24. Committee meetings and quorum

(1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.

(2) Additional meetings of the committee may be convened by the president or by any member of the committee.

(3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

(4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than 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.

(5) The number of committee members to constitute a quorum for the transaction of the business of a meeting of the committee will be set at 50% of total committee plus 1 so that a majority number is always present.

(6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.

(7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

(8) At a meeting of the committee:

(a) the president or, in the president's absence, the vice-president is to preside, or

(b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.

25. Delegation by committee to sub-committee

(1) 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:

(a) this power of delegation, and

(b) a function which is a duty imposed on the committee by the Act or by any other law.

(2) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.

(3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

(4) Despite any delegation under this clause, the committee may continue to exercise any function delegated.

(5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the committee.

(6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.

(7) A sub-committee may meet and adjourn as it thinks proper.

26. *Voting and decisions*

(1) 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.

(2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the 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.

(3) Subject to clause 24 (5), the committee may act despite any vacancy on the committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or 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

27. *Annual general meetings - holding of*

(1) The association must hold its first annual general meeting within 18 months after its registration under the Act.

(2) The association must hold its annual general meetings:

(a) within 6 months after the close of the association's financial year, or

(b) within such later time as may be allowed by the Director-General or prescribed by the Regulation.

28. *Annual general meetings - calling of and business at*

(1) The annual general meeting of the association is, subject to the Act and to clause 27, to be convened on such date and at such place and time as the committee thinks fit.

(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:

(a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,

(b) to receive from the committee reports on the activities of the association during the last preceding financial year,

- (c) to elect office-bearers of the association,
 - (d) to receive and consider any financial statement or report required to be submitted to members under the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

29. *Special general meetings - calling of*

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting, and
 - (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

- (4) 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 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

30. *Notice*

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of 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.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 28 (2).
- (4) 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.

31. Quorum for general meetings

(1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.

(2) Five members present (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.

(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:

(a) if convened on the requisition of members, is to be dissolved, and

(b) 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.

(4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present are to constitute a quorum.

(5) Members submitting a proxy form will be counted as part of the quorum.

Note: Schedule 1 of the Act provides that an association's constitution is to address whether members of the association are entitled to vote by proxy at general meetings.

32. Presiding member

(1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the association.

(2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

(3) The chairperson of any General Meeting or Management Committee shall have the casting vote in the event of any deadlock voting.

33. Adjournment

(1) 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.

(2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

34. Making of decisions

(1) A question arising at a general meeting of the association is to be determined by either:

(a) a show of hands, or

- (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried 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.
- (3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

35. *Special resolutions*

A special resolution may only be passed by the association in accordance with section 39 of the Act.

36. *Voting*

- (1) On any question arising at a general meeting of the association a member has one vote only.
- (2) 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.
- (3) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid.
- (4) A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age.

37. *Postal ballots*

- (1) The association may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 15).
- (2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

Part 5 – Miscellaneous

38. *Insurance*

The association may effect and maintain insurance.

39. *Funds - source*

- (1) 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.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

40. *Funds - management*

- (1) 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.

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members or employees authorised to do so by the committee.

41. *Banking Accounts*

(1) The banking account(s) of the Association shall be kept in such bank(s) as may be decided by the Management Committee from time to time.

(2) The Management Committee shall cause proper accounts to be kept with respect to all users of money received and the assets and liabilities of the Association.

(3) At the Annual General Meeting in every year, the Treasurer, on behalf of the Committee shall lay before the Association a report detailing the administration of the Association's funds during the Financial Year immediately prior to the Annual General Meeting.

(4) The Treasurer shall present to the Management Committee reconciliation of accounts at each Management Committee meeting.

42. *Audit*

Annual auditing of accounts is not required, and shall only be conducted when expressly requested by the members, or a majority of the Committee, at a General Meeting.

43. *Change of name, objects and constitution*

The Constitution shall be altered by the following manner, the Constitution may be added to, amended or altered at the Annual General Meeting or Extra-Ordinary General Meeting provided that:

(a) Written notice of any resolution must be given to the Secretary.

(b) In the case of any such resolution to be proposed at any Annual General Meeting the notice provided for in the preceding clause shall be given to the Secretary at least seven days prior to the Annual General meeting and the Secretary shall include such resolution in the meeting.

(c) The voting shall be by ballot and must carry a majority of at least seventy five percent of those present to alter this Constitution.

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

44. *Custody of books etc*

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

45. *Inspection of books etc*

(1) The following documents must be open to inspection, free of charge, by a member of the association at any reasonable hour:

(a) records, books and other financial documents of the association,

(b) this constitution,

(c) minutes of all committee meetings and general meetings of the association.

(2) A member of the association may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.

46. Service of notices

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

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

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

- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- (b) 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
- (c) 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.

47. 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 30 June, and
- (b) each period of 12 months after the expiration of the previous financial year of the association, commencing on 1 July and ending on the following 30 June.

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

Version 2.0

Author: Neil Grainger

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Ratified by the SPACE AGM on November 18, 2015.

Signed by Public Officer: _____

(Neil Grainger)

