



BLUE MOUNTAINS WOMEN'S HEALTH & RESOURCE CENTRE INC CONSTITUTION

Updated August 7th 2013
Associations Incorporation Act 2009

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PART 1 - PRELIMINARY

1 Definitions

In this constitution:

- (1) Ordinary Committee member means a member of the Committee who is not an office bearer of the Association.
- (2) 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.
- (3) Act means the **Associations Incorporation Act 2009**
- (4) Regulation means the **Associations Incorporation Regulation 2010**
- (5) CALD means Culturally and Linguistically Diverse
- (6) Committee and Committee meeting means the Management Committee of the Association and its meetings
- (7)
 - (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.
- (8) 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.

2 Objects

The Objects of the Association are to:

- (1) Work with women individually and in groups using feminist approaches that are strengths-based and recognise the social context of women's lives. We will utilise a social view of women's health in the development and delivery of services to women.
- (2) Recognise domestic violence (DV) as a gender-based issue which is about power relations and gender inequality and includes physical, emotional and sexual violence and as well as social and financial control and intimidation. We understand the long term impacts of DV in the lives of women and recognise that DV impacts on all aspects of a woman's life.
- (3) Deliver services and programs in a culturally appropriate way that recognise and reflect the specific needs of Indigenous women, women of CALD backgrounds, women from diverse socio-economic backgrounds, women across the ages, women with disabilities, and women of diverse sexuality.
- (4) Provide health promotion activities that target priority population groups of women and/or particular population health issues.
- (5) Conduct community development activities that address the social factors that impact on the lives of women.

- (6) Provide outreach services in the Blue Mountains Local Government Area with a particular focus on North Katoomba, the Mid-Mountains, Blackheath and the Lower Blue Mountains.
- (7) Provide women with assessment, information and referrals to assist them to access services that meet their individual needs.
- (8) Promote the participation of women in decision making about the services they receive. We will seek their participation in the development of centre services and activities, service planning, delivery and evaluation and policy development.
- (9) Utilise an evidence based approach by incorporating relevant data, research and policy in the development and evaluation of programs and activities.
- (10) Provide advocacy at the individual level and at a systemic level.
- (11) Lobby government and other decision makers to achieve outcomes that are in the best interests of women in our community.
- (12) Work with government, community and other sectors to develop partnerships that improve coordination of services, reduce gaps in service delivery and build social capital.
- (13) Build our capacity as an organisation to deliver wholistic, quality services and programs by ensuring that we have systems and policies in place, we employ suitably qualified staff, implement training and development for staff and Committee members, we undertake regular planning and evaluation.
- (14) We will ensure our own service sustainability by implementing appropriate governance procedures, good financial practices and service planning.
- (15) Practise in a way that is open, ethical and accountable and have clear complaints procedures in place.
- (16) To develop and auspice projects that further the interests of women in the Blue Mountains community and/or the interests of the organisation.

PART 2 - MEMBERSHIP

3 Membership Eligibility

- (1) A woman is eligible to be a member of the Association if:
 - (a) the woman is a natural person, and
 - (b) the woman has been nominated and approved for membership of the Association in accordance with clause 4.
- (2) A woman is taken to be a member of the Association if the woman is a natural person.

4 Nomination for Membership

- (1) A nomination of a woman for membership of the Association:
 - (a) must be made by a member of the Association in writing in the form set out in Appendix 1 to this constitution, and
 - (b) must be lodged with the Secretary of the Association

- (2) 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.
- (3) As soon as practicable after the Committee make that determination, the Secretary must:
 - (a) notify the nominee, in writing, that the Committee approved or rejected the nomination (whichever is applicable), and
 - (b) if the Committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.
- (4) The Secretary must, on payment by the nominee of the amounts referred to in subclause (3) (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.

5 Cessation of Membership

- (1) A woman ceases to be a member of the Association if the woman:
 - (a) dies, or
 - (b) resigns membership, or
 - (c) is expelled from the Association, or
 - (d) fails to pay the annual membership fee under clause 9 (2) within 3 months after the fee is due.

6 Membership Entitlements Not Transferable

- (1) A right, privilege or obligation which a woman has by reason of being a member of the Association:
 - (a) is not capable of being transferred or transmitted to another woman, and
 - (b) terminates on cessation of the woman's membership.

7 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.

8 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.

9 Fees and Subscriptions

- (1) 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.
- (2) In addition to any amount payable by the member under subclause (1), 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:
 - (a) except as provided by paragraph (b), before 1 July in each calendar year, or
 - (b) if the member becomes a member on or after 1 July in any calendar year on becoming a member and before 1 July in each succeeding calendar year.

10 Members' Liabilities

- (1) 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 clause 9.

11 Resolution of Disputes

- (1) A dispute between a member and another member (in their capacity as members) of the Association, or a dispute between a member or members and the Association, are to be referred to a community justice centre for mediation under the **Community Justice Centres Act 1983**
- (2) If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.
- (3) The **Commercial Arbitration Act 1984** applies to any such dispute referred to arbitration.

12 Disciplining of Members

- (1) A complaint may be made to the Committee by any person (woman) that a member of the Association:
 - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
 - (b) has wilfully acted in a manner prejudicial to the interests of the Association.
- (2) The Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the Committee decides to deal with the complaint, the Committee:
 - (a) must cause notice of the complaint to be served on the member concerned, and
 - (b) 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
 - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) 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.
- (5) 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 13.
- (6) 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 13, whichever is the later.

13 Right of Appeal of Disciplined Member

- (1) A member may appeal to the Association in Committee meeting against a resolution of the Committee under clause 12, 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 Committee meeting of the Association to be held within 28 days after the date on which the Secretary received the notice.
- (4) At a Committee 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

14 Powers of the Committee

- (1) Subject to the Act, the Regulation and this constitution and to any resolution passed by the Association in Committee 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 an Annual 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.

15 Composition and Membership of Committee

- (1) The Committee is to consist of:
- (a) the office bearers of the Association,
 - (b) at least 3 ordinary Committee members, and
- (2) The Committee will consist of a minimum number of six (6) members and a maximum number of ten (10) members.
- (3) All Committee members will be elected at the Annual General Meeting of the Association under clause 16.
- (4) The office bearers of the Association are as follows:
- (a) the Chairperson,
 - (b) the Vice Chairperson,
 - (c) the Treasurer,
 - (d) the Secretary.
- (5) A Committee member may hold up to 2 offices (other than both the Chairperson and Vice Chairperson offices).
- (6) 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.

16 Election of Committee Members

- (1) Nominations of candidates for election as office bearers of the Association or as ordinary Committee members:
- (a) must be made in writing, signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and

- (b) 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.
- (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations are to 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 ordinary Committee members of the Committee is to be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct
 - (7) The ballot for the election of office bearers will be conducted at the next meeting of the Committee to be held after the Annual General Meeting.
 - (8) An interim Chairperson and interim Treasurer shall be nominated by the new Committee following the election of Committee members at the Annual General Meeting.
 - (9) Once positions are declared, interim arrangements shall be recorded and noted in the AGM Minutes. These interim positions will have delegated authority to act on behalf of the organisation in the period between the Annual General Meeting and the first Committee meeting at which an election of all four office bearing positions will occur.
 - (10) 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.

17 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 the Annual General Meeting, and
 - (c) all proceedings at Committee meetings and the Annual 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.

18 Treasurer

- (1) 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.

19 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 20, 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.

20 Removal of Committee members

- (1) The Committee 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 Chairperson within 14 days and requests that the representations be notified to the members of the Association, the Secretary or the Chairperson 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.

21 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 Chairperson or by any member of the Committee.
- (3) Oral or written notice of Committee meetings 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) For the transaction of business of a meeting of the Committee, a quorum of the Committee shall consist of 50% of the Committee membership, rounded up to the next whole number. At least one member of the quorum must be an office bearer.
- (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 Chairperson or, in the Chairperson's absence, the Vice-Chairperson is to Chairperson is to preside, or
 - (b) if the Chairperson and the Vice-Chairperson 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.

22 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.

23 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 21 (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

24 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 Meeting:
 - (a) within 6 months after the close of the Association's financial year, or
 - (b) within such later time as may be prescribed by the Regulation.

25 Annual General Meetings - calling of and business

- (1) The Annual General Meeting of the Association is, subject to the Act and to clause 24, 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 Committee members,
 - (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.

26 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 one (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 the Annual General Meeting are convened by the Committee.

27 Notice of Committee Meetings

- (1) Oral or written notice of Committee meetings must be given by the Secretary, or her delegate, 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.
- (2) Notice of a Committee meeting 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.
- (3) If the Committee proposes a special resolution of the Association, the Secretary must give at least 21 days notice of the holding of the Special General Meeting, to each member specifying the intention to propose the resolution as a special resolution.
- (4) No business other than that specified in the notice convening a Special 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 25 (2).
- (5) A member of the Association desiring to bring any business before a Committee meeting may give notice in writing of that business to the Secretary who must include that business in the next notice calling a Committee meeting given after receipt of the notice from the member.

28 Quorum for Committee Meetings

- (1) No item of business is to be transacted at a meeting of the Committee unless a quorum of members entitled to vote under this constitution, as per section 20.5, is present during the time the meeting is considering that item.
- (2) If within half an hour after the appointed time for the commencement of a Committee 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 time and 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.

- (3) 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 3) are to constitute a quorum.

29 Chairperson as Presiding Member

- (1) The Chairperson or, in the Chairperson's absence, the Vice Chairperson, is to preside as Chairperson at each meeting of the Committee.
- (2) If the Chairperson and the Vice Chairperson are absent or unwilling to act, the members present must elect one of their number to preside as Chairperson at the meeting.

30 Adjournment

- (1) The Chairperson of the Committee 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 Committee 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 Committee meeting or of the business to be transacted at an adjourned meeting is not required to be given.

31 Making of decisions

- (1) A question arising at a meeting of the Association is to be determined by either:
- (a) a show of hands, or
 - (b) by a written ballot if the Chairperson or a quorum of members is present at the meeting and decide that the question should be determined by 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.

32 Special Resolutions

- (1) A special resolution may only be passed by the Association in accordance with section 39 of the Act.

33 Voting

- (1) On any question arising at a Committee meeting of the Association a member has one vote only.
- (2) In the case of an equality of votes on a question at a Committee 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 Committee 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 Committee meeting of the Association if the member is under 18 years of age.
- (5) Under this constitution the Committee meeting may be held at 2 or more venues using any technology that gives each of the Committee members a reasonable opportunity to participate. This will be determined by the Committee on a case by case basis.
- (6) In all voting of the Committee the Chair will direct the Committee to follow the relevant policy on decision making and section 23 (2) will be invoked when and at such time as directed by the Chair.

34 Proxy Votes Not Permitted

- (1) Proxy voting must not be undertaken at or in respect of a Committee meeting.

35 Postal Ballots

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

PART 5 - MISCELLANEOUS

36 Insurance

- (1) The Association may effect and maintain insurance.

37 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 a Committee 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.

38 Funds – management

- (1) Subject to any resolution passed by the Association in a Committee 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.

39 Change of name, objects and constitution

- (1) An application to register 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.

40 Custody of books

- (1) 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.

41 Inspection of books

- (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 Annual 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.

42 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.

43 Financial Year

- (1) The financial year of the Association is the period starting from July 1 ending on June 30 each year.

44 Non-Profit Dissolution Clause

- (1) The assets and income of the Association 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 organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.
- (2) In the event of the organisation being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation in Australia which is a public benevolent institution for the purposes of the Commonwealth Taxation Act and is "like minded" or has similar aims and objectives to the Association.



APPENDIX 1

Association Membership Form and Committee Nomination Form

BLUE MOUNTAINS WOMEN'S HEALTH & RESOURCE CENTRE INC

(incorporated under the Associations Incorporation Act 2009)

APPLICATION FOR MEMBERSHIP OF ASSOCIATION

I, _____, _____
(name) (occupation)

of _____
(address)

I hereby apply to become a member of the above named incorporated Association. In the event of my admission as a member, I agree to be bound by the constitution of the Association for the time being in force. By joining the Incorporated Association of Blue Mountains Women's Health and Resource Centre and Resource Centre Inc, I agree to uphold the objects of the Association as set out in the Association's Constitution.

(signature of applicant) (date)

I, _____
(full name)

a member of the Association, nominate the applicant for membership of the Association.

(signature of proposer) (date)

I, _____
(full name)

a member of the Association, second the nomination of the applicant for membership of the Association.

(signature of seconder) (date)



BLUE MOUNTAINS WOMEN'S HEALTH & RESOURCE CENTRE INC
(incorporated under the Associations Incorporation Act 2009)

NOMINATION FOR MEMBERSHIP OF THE MANAGEMENT COMMITTEE

I, _____
(name)

of _____
(address)

nominate _____
(name of nominee)

of _____
(address of nominee)

for a position on the Management Committee of Blue Mountains Women's Health and Resource Centre and Resource Centre Inc.

Signature of nominator: _____ Date: _____

I, _____
(name of seconder)

of _____ Second this nomination.
(address of seconder)

Signature of seconder: _____ Date: _____

Continued on next page...

I, _____
(name of nominee)

of _____ accept this nomination.
(address of nominee)

By accepting this nomination to be a member of the Management Committee of Blue Mountains Women's Health and Resource Centre Inc, I agree to uphold the objects of the Association as set out in the Association's Constitution, abide by the organisation's Code of Conduct and follow all policies and procedures of the organisation.

Signature of nominee: _____ Date: _____

Management Committee Registration Form

Full Name _____ Occupation _____

Date of Birth _____ Place of Birth _____

Telephone (home) _____ Telephone (work) _____

Telephone (mobile) _____ Email _____

Any other interests, memberships or activities which may potentially create a conflict of interest for you in your role as Committee member?

Please specify: Activity Membership Relationship

Why it may be a conflict of interest: