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Rules

of

Western Australia Telugu Association Inc.

Regn. No. WA A1015133T



Revision 4

March 2014



REVISION HISTORY

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1		Founding Members		13 th Jan 2011	Initial Issue
2		Sri PrasantNallan (Chair), Sri Shyam Ambati, Sri Prashanth MeReddy, Sri Sreenivas Paladi, Sri Nagesh Sesetti & Sri Prasad Vannemreddy	26 Aug 2012	5 th June 2012	Attempt to allow proxies in General Body Meetings and modification of fee structure
3	Feb 2014	Sri Shyam Ambati (Chair), Smt Manga Akella Sri Sai Kolachana, Sri Prashanth Mereddy, Sri Prabhu Pandalaneni, Smt Vani Sambara & Sri Prasad Vannemreddy			Comprehensive review of Rev2. Could not be passed on March 16 th 2014, due to lack of quorum
4	March 2014	Sri Shyam Ambati (Chair), Sri Prashanth Mereddy, Sri Prabhu Pandalaneni & Sri Prasad Vannemreddy			Revision to Rev 3. Governing Body Abolished. Membership fee reduced. Board Member designations altered. Resignation procedure modified.



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ARTICLE I—Name, Aims & Objectives and Values

1 Name

The name of this organization shall be Western Australia Telugu Association Inc. – hereinafter “the Association” or shortened to “WATA”.

2 Definitions

In this document, unless clearly described otherwise:

- (1) The “Act” means Associations Incorporation Act 1987 (W.A.), which includes any regulations made under the Act.
- (2) “the Commissioner” means the Commissioner for Consumer Protection exercising powers under the Act.
- (3) The “Rules (or Constitution)” shall mean the latest Rules (Constitution) of the Association lodged with the Commissioner.
- (4) The terms “Constitution” and “Rules” are considered synonymous.
- (5) “Absolute majority” means a majority of the members entitled to vote at the time of voting whether or not they are physically present at the meeting as allowed by the Rules.
- (6) “Voting Member” means the member who has the voting rights.
- (7) “Member” is the individual who has been accepted into the Association as per Article III of these Rules (This document).
- (8) ~~“Founding Member” is a person who has long term interests with the Western Australian Telugu community and who has paid a membership contribution of \$1,000.00 towards formation of the Association. List of Founding members is attached as per Annexure 1 to the Rules. A Founding Member is automatically a Governing Body Member. Deleted in Rev 4.~~
- (9) ~~“Governing Body” (GB) consists of the Founding Members and admitted new members to the Governing Body per the Rules. A member of the Governing Body is automatically a member of the Executive Body. Deleted in Rev 4.~~
- (10) “Executive Body” (EB) consists of all the Financial Members. A member of the Executive Body is automatically a member of the General Body.
- (11) “General Body” consists of all members of the Association including those who do not have voting rights or whose voting rights have been suspended.
- (12) “Executive Committee” (EC) is the Committee elected by the eligible members of the Executive Body from the eligible members of the Executive Body for the purpose of day-to-day management of the affairs of the Association.
- (13) “Board of Governance” (The Board) is the Board elected by the eligible members of the Executive Body from the eligible members of the Executive Body to direct, monitor and audit the functioning of the Association per the Rules.
- (14) “Committee” means the Executive Committee (EC).
- (15) “Committee Member” means an officer of the Executive Committee.
- (16) “Board Member” means a member of the Board.
- (17) “Office Bearer” means Committee Member or Board Member.
- (18) “Financial Year” commences on July 1st and ends on June 30th.
- (19) “AGM” means Annual General Body Meeting of the Members convened per the provisions of these Rules.
- (20) “SGM” means Special General Body Meeting of the Members convened per the provisions of these Rules.
- (21) “General Meeting” means either AGM or SGM as per the context.
- (22) “Special Resolution”: A resolution is a Special Resolution if it is passed by a majority of not less than three-fourths of the members of the Association who are entitled under the rules of the Association to vote at a General Meeting for which notice specifying the intention to propose the resolution as a Special Resolution was given in accordance with the Rules.
- (23) “Special meeting” is a meeting of either the EC or the Board (as the case may be), which meeting is not in the schedule of the meetings.
- (24) “Common Seal”– Common Seal is the official stamp or "signature" of the Association.

3 Registered Office

- (1) The registered office of the Association shall be in metropolitan Perth; and
- (2) The registered address of the office of the Association is—
 - (a) the address determined from time to time by resolution of the EC; or
 - (b) if the EC has not determined an address to be the registered address—the postal address of the General Secretary.



4 Aims & Objectives

The Association is created for and shall function for social, cultural, educational, scientific, charitable, benevolent purposes of the Telugu speaking people of Western Australia while encouraging their participation and promotion in Telugu culture, Telugu literature, Telugu festivals, science, arts, sports, recreation and amusement to improve their general wellbeing and to create social and cultural centres for their and future generations' benefit. The specific objectives are:

- (1) To preserve and nurture for generations the historic and cultural links, narratives and stories between the Telugu speaking people of Republic of India and the Telugu speaking people of Western Australia.
- (2) To be the main link by which the historical and cultural sustenance is derived from Telugu speaking people of India for the greater benefit of the Telugu speaking people of Western Australia.
- (3) To help Telugu speaking new immigrants to blend with the rest of the West Australian society with ease, comfort and confidence.
- (4) To support (financially and morally) those members of the Telugu speaking community of Western Australia who are in need of such due to natural calamities and/or unforeseen events.
- (5) To collect and transfer charities, donations, etc. at local, national, and international level for social, cultural, educational, economic, and humanitarian causes.
- (6) Promote Telugu language, and inculcate in the young, a sense of pride and belongingness for being a Telugu speaking person and to relish the opportunity of maintaining links to their ancestral land.
- (7) To represent and be the focal organization for Telugu Social, Cultural & Literary activities in Western Australia by organising activities and events to develop and maintain continued awareness of the rich heritage of Telugu speaking people in all these spheres.
- (8) To represent, protect and promote the legitimate interests of the Telugu speaking people of Western Australia and organise and participate in the regional, national and international events which promote Telugu culture.
- (9) Reflecting the rich heritage of the Telugu speaking people of India, to create social and cultural centres within Western Australia for the promotion of Telugu language.
- (10) To promote friendship and cultural exchange with other similar organisations within Australia or elsewhere.

5 Activities of the Association

To achieve the above objectives, the Association may conduct/ organise/ participate in the following activities—

- (1) Cultural, Sporting, Religious & Spiritual; and
- (2) Quiz /Debate Competitions; and
- (3) Arranging festivities; and
- (4) Arranging community outings, gatherings, picnics and sight-seeing tours; and
- (5) Telugu language promotion and encouragement to the youngsters to participate in vocabulary competitions and wireless (radio/ TV etc.) programs; and
- (6) Arranging academic workshops and tuitions for the Telugu students to excel in their schools and become valuable residents/ citizens of Australia; and
- (7) General Community and voluntary Services (blood bank/ cancer awareness/ old age support etc.); and
- (8) Arranging advice on immigration and legal issues; and
- (9) Providing Matrimonial services; and
- (10) Providing advice regarding availability of various medical services; and
- (11) Emergency services to the members; and
- (12) Support for new immigrants and students to help them settle smoothly; and
- (13) Guidance on employment opportunities; and
- (14) Publishing of periodic community magazines and newsletters (print/electronic).

6 Political and/or Business Affiliation

- (1) The Association shall not be affiliated to any political and/or business organizations within Australia or elsewhere.
- (2) No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation.
- (3) The Association shall not participate in, or intervene in (including the publishing or distribution of statements) and political campaign on behalf of any candidate for public office.
- (4) Notwithstanding any other provision of the Rules, the Association shall not carry on any activities not permitted by the Act.



7 Powers of the Association

Subject to the Act and the Rules, the Association may do all things necessary or convenient for carrying out the Association's Aims & Objectives per Section (4), and in particular, may—

- (1) Campaign for recruiting members for the Association from the eligible membership of the people of Western Australia; and
- (2) Encourage and involve the members to participate in and promote the Aims & Objectives of the Association; and
- (3) Raise funds to enable the Association to carry out its Aims & Objectives per Section (4); and
- (4) Acquire or lease any real or personal property and any rights or privileges and thereafter improve, manage, develop, sell, lease, dispose of, turn to account or otherwise deal with all or any part of the property which it shall think necessary or expedient for the purpose of attaining its objectives; and
- (5) Print, publish, sell or gratuitously distribute any newspapers, periodicals, books or leaflets that may deem desirable for the promotion of its Aims & Objectives per Section (4); and
- (6) Open and operate bank accounts in Australia with any of the Australian major Banks; and
- (7) Subject to this item being in the agenda of a General Meeting as Special Resolution, invest its money as trust funds under Part III of the Trustees Act 1962; or in any other lawful manner approved by 75% the Absolute majority of the Executive Body of the Association; and
- (8) Subject to this item being in the agenda of a General Meeting as Special Resolution, power to borrow or raise upon loan any sum or sums of money and for the purpose of securing the repayment thereof to execute or give any mortgages, charges, bonds, debentures, bill of exchange, promissory notes or other securities over all or any of the property of the Association and to liquidate, redeem or pay off such obligations and securities or any of them upon such terms and conditions as approved by 75% of the Absolute majority of the Executive Body of the Association; and
- (9) If so authorised by General Meeting called for the express purpose as Special Resolution, give such security for the discharge of liabilities incurred by the Association as approved by 75% of the Absolute majority of the Executive Body of the Association in a General Meeting; and
- (10) If so authorised by General Meeting called for the express purpose as Special Resolution, power to conclude agreements with other persons or bodies relating to the disposal or all or any part of the Association's assets or real estate as approved by 75% of the Absolute majority of the Executive Body of the Association in a General Meeting.
- (11) Appoint agents to transact any business of the Association on its behalf; and
- (12) Enter into any contract it considers necessary or desirable; and
- (13) Consider and make representations on bills, legislation or other measures or by laws affecting the interests of the members of the Association; and
- (14) To own and maintain website for the Association; and
- (15) To have means of electronic communication and email groups to be able to communicate with its members.

8 Non-Discrimination & Non-Harassment Policy

- (1) The Association and its members shall not discriminate (neither positively nor negatively) against any individuals for reasons of race, caste, colour, creed, religion and national origin, place of origin, gender, education, occupation, political affiliation or age.
- (2) The Association firmly believes that to tackle the issue of caste is not to acknowledge its existence as a characteristic that defines any of its members. Hence, membership of any member of the Association who either verbally or in deeds or in writing identifies/ associates/ connects/ recognises any other member as being of any caste, attracts discipline review proceedings.
- (3) Every Member of the Association (including the Office Bearers) is obliged to conduct in a manner to provide a respectful and productive work environment free from verbal, visual, written, or physical conduct that harasses, disrupts, or interferes with another's work performance, or which creates an intimidating or hostile work and social environment.
- (4) Member shall not bully (harass) other members. Bullying is defined as, "repeated, health-harming mistreatment, verbal abuse, or conduct which is threatening, humiliating, intimidating, or sabotage that interferes with the functioning of the Association, or some combination of the three".
- (5) The Association has zero tolerance for the members who flout this provision of the Rules. If any of the above allegations are proven, disciplinary action could lead to expulsion from the Association.
- (6) Any Member who believes he or she is being harassed or discriminated by another Member or the Committee or the Association have the right to seek their grievance addressed by EC per Article X, Division 1 of Rules.



ARTICLE II—Governance of the Association

9 Governance of the Association

- (1) The day-to-day activities of the Association are managed by an elected Executive Committee (EC).
- (2) An elected Board of Governance (the Board) provides mission, vision and fiscal policies, conflict resolution, Member appeals and other undefined roles in this rules.
- (3) Both these entities are considered to be complimentary and are mandated to be working in harmony for the greater good of the Association.



Article III – Membership

10 Categories of Membership

- (1) The Association shall have two (2) categories of membership to constitute the General Body—
- (a) Annual General Membership; and/or
 - (b) Lifetime Financial Membership

11 Membership Fees

Fee payable for various memberships is shown in the Table below.

Table 1 Membership Fees

Membership Category	Fee (Payable along with Application)	Frequency of Fee Payment
Annual General Membership	\$25	Annual
Lifetime Financial Membership	\$125	Once

12 Membership Qualifications and Application

- (1) The following requirements apply to all the applicants. The Association's membership shall be open to any person who—
- (a) is 18 years or older; and
 - (b) is a legal resident of Australia; and
 - (c) is ordinarily resident in Western Australia; and
 - (d) wishes to become a member of the Association; and
 - (e) subscribes to the Aims & Objectives as set forth in Section (4); and
 - (f) agrees to abide by the general obligations of the Members per Section (14); and
 - (g) agrees to abide by the Rules of the Association.
- (2) Membership of the Association shall be sought in the prescribed application form available with the General Secretary. The prescribed membership fee shall accompany the filled in and signed application form.
- (3) Any person desirous of becoming a member of the Association in a particular membership category, shall be proposed by an existing Lifetime Financial Member and seconded by any other existing Lifetime Financial Member of the Association.
- (4) The application form complete in all respects shall be handed over to or sent by post or scanned & emailed to the General Secretary along with proof of payment of prescribed fees.
- (5) The Association reserves the right to verify the information provided and the qualifications for membership of any applicant. Such verification may include requesting additional supporting documentation from some or all of the applicants for membership.
- (6) Once approved, the membership is valid for the family. For membership purposes, a family shall be defined as Member, spouse and their biological or legally adopted children of age less than 18 years.
- (7) Persons under the age of 18 years do not have voting rights.
- (8) When existing single Member acquires married status, spouse can apply for the Association's membership in the same category of the Member without having to pay membership fees. The following conditions apply—
- (a) Spouse meets the requirements of Section (12)(1); and
 - (b) Spouse submits a valid application form for membership; and
 - (c) The application is accepted by EC.
- (9) The rights of a Member are not transferable and end when membership ceases.

13 Processing of Application for Annual General and Lifetime Financial Membership

- (1) Upon receipt of the valid application form and the prescribed fees, at its earliest convenience, the EC shall consider the membership application in a meeting and inform the applicant of acceptance or rejection in writing.
- (2) Upon the EC resolving to accept an application for membership, the applicant will become a Member of the Association from the date of such resolution.
- (3) The General Secretary must, as soon as practicable, enter the name and address of the new Member, and the date of becoming a Member and other details, in the Register of Members.
- (4) If the application for membership is not successful, the membership fee paid with the application shall be returned to the applicant in full within 7 calendar days of such decision.
- (5) No reason need to be given for rejection, if any.



14 General Obligations of all the Members

- (1) The Association may have different Categories of membership to suit their individual situation, interest and their ability to provide, material and time contribution to the Association. Joining the Association is voluntary and the persons are required to be fully familiar with the Rules at the time of their application for membership.
- (2) Members are obliged to—
 - (a) uphold the Rules upon joining the Association; and
 - (b) treat every other Member with the respect and dignity that the Member themselves desires from others; and
 - (c) maintain the peace and tranquillity of the Association and its membership; and
 - (d) make the Association an example to emulate; and
 - (e) promote and preserve the integrity of the Association; and
 - (f) follow the non-discrimination and non-harassment policy of the Association per Section (8).
- (3) Members shall not—
 - (a) canvass for or advocate division of the Association; or
 - (b) advocate or claim superiority over the others; or
 - (c) treat the Association as an exclusive club or a personal property, irrespective of the nature and amount of their contribution; or
 - (d) cause wilful waste of time and efforts of fellow members and/or EC Members and/or the Board.
- (4) Any member flouting any of the above Subsections attracts disciplinary action per Article X, Division2, possibly resulting in termination of membership.
- (5) Upon a Member joining, the fee paid and other contributions made by the Members become the collective property of the Association and no individual member has any right on such contributions or claim on such contributions.
- (6) The Rules apply to each Member, irrespective of the category of the membership – except when specifically exempted.

15 General Rights of all the Members

- (1) A Member of the Association who is entitled to vote has the right—
 - (a) to receive in time all general correspondence and communication made by the Association to its Members; and
 - (b) to receive notice of General Meetings and of proposed Special Resolutions in the manner and time prescribed by the Rules; and
 - (c) to submit items of business for consideration at a General Meeting; and
 - (d) to attend and be heard at General Meetings; and
 - (e) to vote at a General Meeting; and
 - (f) to have access to the minutes of General Meetings and other documents of the Association as provided under the Rules; and
 - (g) to inspect the Register of Members; and
 - (h) to inspect the Register of Office Bearers; and
 - (i) A person whose membership rights have been suspended or who has been expelled from the Association have appeal rights per Section (105).
 - (j) to submit their grievance, if any, to the President in the first instance and the Chief Advisor if not in receipt of response from the President within 2 months.
 - (k) right to initiate amendments to the rules for efficient governance of the Associations and benefits to the members



16 Inspection of Register of Members

- (1) Subject to the provisions of Section (124), Members can have access to know the full name of the Members of the Association per Section (123) from extract of the Member Register.

17 Member Conduct and Meeting Etiquette

- (1) Members are required to observe meeting etiquette by—
 - (a) obtaining the floor (the right to speak) by being the first to stand when the person speaking has finished; and
 - (b) speaking only after the chair has recognised Member's intention to speak; and
 - (c) not speaking twice on the same issue until everyone else wishing to speak has spoken to once; and
 - (d) addressing only to the chair; and
 - (e) using courteous language and deportment; and
 - (f) avoiding personalities; and
 - (g) never alluding to others by name or motives.

18 Member Correspondence

- (1) A Member shall communicate with the Association—
 - (a) only through the General Secretary; or
 - (b) when not satisfied with the response of the General Secretary through the President; or
 - (c) when specifically allowed by the Rules through the Governance Controller.
- (2) All correspondence issued by the Association to the Member remains the property of the Association. The correspondence and any attachments there-off are confidential. The correspondence may contain legally privileged information or copyright material. The Member must not copy, use or disclose them to others without authorisation by the Association. If the Member is not an intended recipient of the communication, the Member shall contact the originator of the communication at once and then delete/ destroy both messages and all attachments.

19 Contact Information

- (1) It is the responsibility of each Member to update their contact details with the General Secretary to keep on file Member's current—
 - (a) mailing address to receive formal notices of the Association, and if so desired by the Member
 - (i) telephone number to enable the General Secretary or their authorised person to contact the Member; and
 - (ii) the electronic mail address to which all general communications and newsletter etc. of the Association may be sent.
- (2) If the Member does not want to receive general communication and/or newsletters of the Association, the member may elect not to provide the information sought at Subsections 19(1)(a)(i) and/or (ii).

20 Membership Resignation

- (1) A Member of the Association may resign from the Association by giving written notice to the General Secretary of their intention to resign. If the notice does not indicate effective date of resignation, then the date of receipt of the communication (email/mail) will be deemed as the effective date of resignation.
- (2) Upon the main applicant resigning, the family members covered in the membership also shall be considered to have resigned. If any of the eligible family member shows interest to continue after the resignation of the main applicant, the family member can reapply without the main applicant and the joining fee can be exempted at the discretion of EC.
- (3) Upon Member's resignation, 50% of the Membership fee paid by the member shall be refunded within 30 days of the resignation.
- (4) Upon the resignation coming in to effect, the General Secretary shall make an entry in the Register of Members recording the date on which that individual and the family members (if any) ceased to be Member (s) of the Association. All personal details of such Member and their family members shall be deleted from the Association's registers and documents.
- (5) Members, who have resigned, are eligible to reapply for membership of the Association, at a later date, in the prescribed application form along with fees as per the provisions of the prevailing Rules.



21 Membership Termination

- (1) The membership automatically terminates—
 - (a) when a child crosses the age limit of 18 years.
- (2) The EC may terminate a Member's membership if the Member—
 - (a) made false statements in the membership application form; or
 - (b) no longer meets the membership qualification requirements; or
 - (c) dies; or
 - (d) is convicted of an indictable offence; or
 - (e) resigns; or
 - (f) flouts the non-discrimination & non-harassment policy at Section(8); or
 - (g) disciplinary hearing proceedings resulted in expulsion of the Member; or
 - (h) does not comply with any of the provisions of the Rules; or
- (3) has membership fees in arrears for at least 2 months. The Member is not entitled for refund of any portion of the membership fee upon their membership being terminated.
- (4) Upon the termination of Member's membership except for reasons of subsection 21(2)(c), the membership of the family members covered in the membership also shall be considered to have terminated.
- (5) Upon the termination, the General Secretary shall make an entry in the Register of Members recording the date on which that individual and the family members (if any) ceased to be member (s) of the Association.

22 Membership Suspension

- (1) The EC may suspend the Member's membership if the Member—
 - (a) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association; or
- (2) The Member is automatically suspended if the Member—
 - (a) is the subject of disciplinary hearing proceedings; or
 - (b) the disciplinary hearing proceedings resulted in membership suspension; or
 - (c) is no longer ordinarily resident in Western Australia
- (3) Suspended members automatically have their voting rights suspended.
- (4) Suspended members shall not function in their official capacity (either in a Committee, or Board, or sub-committee) until the suspension is formally lifted by EC.
- (5) Suspended Members shall not represent or make others believe they are representing the Association in any manner.
- (6) The Treasurer shall ensure that the signing authority, if any, of the suspended Members is revoked.
- (7) Upon Member's suspension, the General Secretary shall make an entry in the Register of Members recording the date on which that Member is suspended and the reason for suspension.



Article IV – Board of Governance

23 General

- (1) The Board of Governance provides checks and balances within the Association to enable EC to go about its day-to-day activities with the knowledge that EC's activities are being monitored.
- (2) The members of the Board shall serve the Association and carry out their responsibilities and duties in an honorary capacity.

24 Official Titles

- (1) The Board of Governance comprises of 3 members as follows—
 - (a) Chief Advisor; and
 - (b) Governance Controller; and
 - (c) Finance Advisor

25 Board Member Eligibility

- (1) A person is eligible to contest for and hold the position on the Board if—
 - (a) the person is an Executive Body member; and
 - (b) is eligible to vote in the election of Board of Governance per Section (88).
- (2) If there are other contestants in the election for the same position—
 - (a) members shall not offer themselves for election to serve for more than 3 consecutive years either in the EC or on Board or both combined without taking a minimum of 2 years break; and
 - (b) members shall not offer themselves for election to the same position for more than 2 consecutive terms whether in EC or on Board.
- (3) Any single person shall not hold more than one position either in EC, or on Board or in both at any point of time.
- (4) Immediate family members (parents and children; wife and husband; siblings) shall not be the members in the EC and/or on the Board at the same time whether elected or co-opted.

26 Method of Election & Terms of Office of the Board Members

- (1) The Board of Governance is elected per Article VIII, Division 2.
- (2) The terms are as follows:
 - (a) The Chief Advisor (elected for 3 years term)
 - (b) Governance Controller (elected for 2 years term)

27 Finance Advisor (elected for 2 years term) Duties & Responsibilities of the Board

- (1) General duties and responsibilities of the Board are listed below—
 - (a) To set and nurture mission, vision and fiscal policies so that the EC can manage the affairs of the Association in an efficient manner benefitting all the membership; and
 - (b) To oversee peace and harmony amongst the membership of the Association; and
 - (c) To take proactive measures to prevent issues, troubleshoot issues and handle the unexpected; and
 - (d) Oversee operations of EC at arm's length without micromanagement; and
 - (e) To develop and monitor the strategic plan for the long term benefit; and
 - (f) Resolve conflicts, if any, within the Rules; and
 - (g) To ensure the yearly elections are conducted smoothly and EC transition occurs smoothly; and
 - (h) Represent at its discretion, and be the face of the Association when dealing with matters that are not in the schedule of events prepared by the EC.
 - (i) To review/ approve Memoranda of Understanding entered in to by EC for joint ventures/ projects with other likeminded Associations or organisations; and
 - (j) To review/ approve whether to become or continue to be a member of any likeminded peak bodies or forums or apex bodies or the like; and
 - (k) To run the Association in caretaker mode and assume the duties and responsibilities of the Executive Committee when the existing EC is incapacitated or unwilling to do so; and
 - (l) To direct the President to call-up a General Meeting to debate and resolve any matter of grave concern to the Members of the Association; and
 - (m) Recall any member of EC or the entire EC if doing so the Board considers to be in the interest of the Association (or) To recall any member of the EC upon written and signed request of the 51% of the absolute majority of the Executive Body; and
 - (n) To review and approve EC calendar of events; and
 - (o) To review, approve and monitor budget submitted by the EC for the financial year; and
 - (p) Quarterly monitoring of financial commitments and balance sheets of the Association and arrange for internal audits; and



- (q) On exceptional circumstances, able to send communications to all the Association members after discussing the contents with the President; and
- (r) Ability to enforce budget and expenditure cuts under financial emergency conditions.

28 Functions and Responsibilities of the Board Members

- (1) Chief Advisor
 - (a) Presides over the Board.
- (2) Governance Controller
 - (a) Is the general secretary of the Board and maintains records, prepares minutes of the meeting and have them issued by the Chief Advisor.
 - (b) Is authorised to participate in any internal meetings of the Association on behalf the Chief Advisor.
 - (c) Makes recommendations to the Chief Advisor regarding the improvements and amendments to the Rules as necessary.
 - (d) Provide guidelines and policies/ rules/ disciplinary actions and election conduct.
 - (e) Presides over Rules review sub-committee and facilitates Rules amendment per Section (109).
 - (f) Is responsible for facilitating resolving the conflicts within the Rules per Section (108).
- (3) Finance Advisor
 - (a) Is responsible for overseeing the accounting, supervising the quality of accounting and financial reporting of the Association.
 - (b) Is responsible to make recommendations to the Chief Advisor regarding the finance matters of the Association.
 - (c) Is responsible to act as Treasurer of the Association in the absence of the Treasurer.

29 Meetings of the Board

- (1) The Chief Advisor or their designate presides over the Board meetings.
- (2) The Board must meet at least once in 3 months at the dates (on a weekend), times and places (in metropolitan Perth) as determined by the Board.
- (3) The date, time and place of the first Board meeting must be determined by the members of the Board as soon as practicable after the AGM of the Association at which the members of the Board were elected.
- (4) Special Board meetings may be convened by the Chief Advisor or by any 2 members of the Board.
- (5) The Board shall attend the General Meetings as called up by EC.

30 Notice of Meetings

- (1) Notice of each Board meeting must be given to each Board Member no later than 7 days before the date of the meeting.
- (2) Notice may be given of more than one Board meeting at the same time.
- (3) The notice must state the date, time and place of the meeting.
- (4) If a special Board meeting is convened, the notice must include the general nature of the business to be conducted.
- (5) Any resolution made at the meeting must be passed by 51% of absolute majority of the Board.
- (6) In cases of urgency, a meeting can be held without notice being given provided that as much notice as practicable is given to each Board Member by the quickest means practicable.
- (7) The only business that may be conducted at the meeting is the business for which the meeting is convened.

31 Procedure and Order of Business

- (1) The procedure to be followed at a meeting of the Board must be determined from time to time by the Board.
- (2) The order of business may be determined by the members present at the meeting.

32 Use of Technology

- (1) A Board Member who is not physically present at a Board meeting may participate in the meeting by the use of technology that allows that Board Member and the Board members present at the meeting to clearly and simultaneously communicate with each other.
- (2) A Board Member participating in a Board meeting as permitted under Section (32)(1) is taken to be present at the meeting and, if the member is required to vote on any matter at the meeting, is taken to have voted in person.

33 Resolutions of Board without Meeting

- (1) A written resolution signed by each and every member of the Board is as valid and effectual as if it had been passed at a Board meeting that was properly called and held.



- (2) A resolution mentioned in Subsection (1) may consist of several documents in like form, each signed by 1 or more members of the Board.

34 Quorum

- (1) No business may be conducted at a Board meeting unless a quorum is present.
- (2) The quorum for a Board meeting is the presence (in person or as allowed under Section (32) of all the 3 Board members holding office.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a Board meeting—
- (a) in the case of a special meeting—the meeting lapses;
 - (b) in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with Section (30).

35 Voting

- (1) On any question arising at a Board meeting, each Board Member present at the meeting has one vote.
- (2) A motion is carried if a majority of the Board members present at the meeting vote in favour of the motion.
- (3) If votes are divided equally on a question, the chair of the meeting has a second or casting vote.
- (4) Voting by proxy is not permitted.

36 Conflict of Interest

- (1) A Board Member who has a material personal interest in a matter being considered at a Board meeting must disclose the nature and extent of that interest to the Board.
- (2) The member—
- (a) must not be present while the matter is being considered at the meeting; and
 - (b) must not vote on the matter and
 - (c) shall be replaced by a Member of EC (who does not have a conflict of interest with the matter) as designated by the President to discuss and vote on the matter.
- (3) This Section does not apply to a material personal interest—
- (a) that exists only because the member belongs to a category of persons for whose benefit the Association is established; or
 - (b) that the member has in common with all, or a substantial proportion of, the members of the Association.

37 Minutes of Meeting

- (1) The Governance Controller must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Board meeting are recorded and records kept.
- (2) The minutes must record the following—
- (a) the names of the Board members in attendance at the meeting;
 - (b) the business considered at the meeting;
 - (c) any resolution on which a vote is taken and the result of the vote;
 - (d) any material personal interest disclosed under Section (36).
- (3) To ensure the accuracy of the minutes, the minutes of each Board meeting must be approved by the Chief Advisor or their designate verifying their accuracy.

38 Leave of Absence & Casual Vacancies

- (1) When the Chief Advisor is away or is incapacitated, the Finance Advisor automatically assumes the role of the Chief Advisor in addition to their own for a maximum period of 2 months. If the situation extends beyond 2 months, the Finance Advisor shall continue to be the Chief Advisor until the next elections and shall co-opt any of the Executive Body member(s) to assume the role of the Finance Advisor until the next elections.
- (2) When either the Finance Advisor or the Governance Controller or both are away or are incapacitated, the Chief Advisor is authorised to co-opt any of the Executive Body member(s) to assume any of those roles in the interim. If the elected members do not return within 2 months, these co-opted members will continue until next elections and their positions shall be filled through normal electoral process.



39 Resignation of Board Member

- (1) A Board Member may resign from the Board by giving advance notice of minimum 30 days, in writing, to the General Secretary.
- (2) Before the expiry of the notice period of Subsection (1), the Board shall strive to fill the impending vacancy per Rules.
- (3) Unless withdrawn by the member, at the end of the notice period, the resignation will come in to effect automatically.
- (4) Upon the resignation coming in to effect, the General Secretary shall make an entry in the Register of Office Bearers recording the date and time at which that individual ceased to be the Board Member of the Association.



Article V – Executive Committee (EC)

40 General

- (1) The Association shall be managed by a duly elected Executive Committee (EC)
- (2) For the purpose of the Act, the Executive Committee (EC) is the Management Committee of the Association.
- (3) The EC shall provide leadership to execute the vision, policies and work as approved by the Board and General Body as per the Rules.
- (4) The members of EC shall serve the Association and carry out their responsibilities and duties in an honorary capacity.

41 Official Titles

- (1) The EC of the Association consists of 9 members. The official titles of the EC members shall be as below:
 - (a) President
 - (b) Vice President
 - (c) General Secretary
 - (d) Assistant General Secretary
 - (e) Treasurer
 - (f) Cultural and Religious Events Coordinator
 - (g) Assistant Cultural and Religious Events Coordinator
 - (h) Leisure and Sports Coordinator
 - (i) Web Site Administrator
- (2) The following members may attend the EC meetings with no voting rights in the EC
 - (a) Immediate Past President
 - (b) Immediate Past General Secretary
 - (c) Representative from current Board of Governance

42 EC Member Eligibility

- (1) A person is eligible to contest for a position in the Executive Committee if—
 - (a) the person is a member of the Executive Body of the Association at least for eleven (11) months; and
 - (b) is eligible to vote in the election of Executive Committee members per Section (82).
- (2) If there are other contestants in the election for the same position then—
 - (a) members shall not offer themselves for election to serve for more than 3 consecutive years either in the EC or on Board or both combined without taking a break that is longer than 2 years either in EC or Board; and
 - (b) members shall not offer themselves for election to the same position for more than 2 consecutive terms whether in EC or on Board.
- (3) Any single person shall not hold more than one position either in EC, or on Board or in both at any point of time.
- (4) Immediate family members (parents and children; wife and husband; siblings) shall not be the members in the EC and/or on the Board at the same time whether elected or co-opted.

43 Method of Election & Terms of Office of EC Members

- (1) The EC members are elected per Article VIII, Division 1.
- (2) Terms of Office of EC members are as below:
 - (a) President – Elected for one year.
 - (b) Vice President – Elected for two years, with first year as Vice President and next year as President.
 - (c) General Secretary – Elected for one year.
 - (d) Assistant General Secretary - Elected for two years, with first year as Assistant General Secretary and next year as General Secretary.
 - (e) Treasurer - Elected for one year.
 - (f) Cultural & Religious Events Coordinator - Elected for one year.
 - (g) Assistant Cultural & Religious Events Coordinator - Elected for one year.
 - (h) Leisure and Sports Coordinator - Elected for one year.
 - (i) Web Site Administrator - Elected for one year.



44 Duties and Responsibilities of the Executive Committee

- (1) In addition to and without affecting the generality of the powers conferred upon it by the various provisions of the Rules, the EC shall have the following powers:
 - (a) Manage the affairs of the Association in all its day-to-day matters.
 - (b) Conceive, develop and implement various cultural, social, religious, spiritual and other activities in accordance with the Rules.
 - (c) Implement the Association's mission, vision and fiscal policies into actionable plans.
 - (d) to purchase, lease, hire or otherwise acquire any assets provided such expenditure does not exceed \$1,000.00 or such greater amounts beyond scheduled budget according to calendar events as may be agreed by the Board.
 - (e) to authorize in accordance with the provisions of the Rules the Common Seal of the Association to be affixed to documents requiring to be executed by the Association under its Common Seal.
 - (f) Hold AGM/ SGM as defined in the Rules.
 - (g) Provide periodic feedback to the Board and keep the Board abreast of any developments. Nothing should be a surprise to the Board.
 - (h) Advise Board of any need for discipline review proceedings against any member.
 - (i) Advise the Board of conflicts, if any, within the Rules
 - (j) Follow/ implement Board's written directives.

45 Appointment of Sub-Committees

- (1) The EC has the authority to appoint and dissolve Sub-committees to organise and manage functions, events, occasions and activities to achieve the Aims & Objectives of the Association per Section (4).
- (2) The members of the Sub-Committee could be drawn from the General Body, or if special skills are required can also be drawn from outside of the General Body.
- (3) The chair of the Sub-Committee shall be from the EC.
- (4) If not dissolved earlier, the Sub-Committees, so appointed shall automatically be dissolved when the General Body elects new EC or new EC member for the position that chairs the sub-committee.
- (5) The meeting frequency, notice requirements and quorum requirements shall be discussed and decided by the Sub-committee in its first meeting.
- (6) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

46 Functions and Responsibilities of the EC Members

- (1) General functions and responsibilities of the EC Members are described in Article VI. In addition, EC members are required to refer to the Act for their legal and regulatory obligations.

47 Meetings of the EC

- (1) The President or their designate presides over the EC meetings.
- (2) The EC must meet at least once in two months at the dates (on a weekend), times and places (in metropolitan Perth) as determined by the EC.
- (3) The EC may meet more often if such meetings are deemed necessary.
- (4) The date, time and place of the first EC meeting must be determined by the members of the EC as soon as practicable after the elections of the Association at which the members of the EC were elected.
- (5) EC Members shall advice agenda items to General Secretary at least 48 hrs before the meeting.
- (6) Special EC meetings may be convened by the President or by any 5 members of the EC.

48 Notice of Meetings

- (1) Notice of each EC meeting must be given to each EC member no later than 7 days before the date of the meeting.
- (2) Notice may be given of more than one EC meeting at the same time.
- (3) The notice must state the date, time and place of the meeting.
- (4) If a special EC meeting is convened, the notice must include the general nature of the business to be conducted.
- (5) Any resolution made at the meeting must be passed by 51% of absolute majority of the EC.
- (6) In cases of urgency, a meeting can be held without notice being given provided that as much notice as practicable is given to each EC member by the quickest means practicable.
- (7) The only business that may be conducted at the meeting is the business for which the meeting is convened.



49 Procedure and Order of Business

- (1) The procedure to be followed at a meeting of the EC must be determined from time to time by the EC shall contain at least—
 - (a) Confirmation of previous minutes of the committee; and
 - (b) Correspondence in/ correspondence out since the committee met last time; and
 - (c) Membership applications received/ approved since the committee met last time; and
 - (d) Treasurer report with bank reconciliations; and
 - (e) Sub-committee reports (if, any).
- (2) The order of business at the meeting shall be decided by the chair of the meeting.

50 Resolutions of EC without Meeting

- (1) A written resolution signed by each member of the EC is as valid and effectual as if it had been passed at an EC meeting that was properly called and held.
- (2) A resolution mentioned in Subsection (1) may consist of several documents in like form, each signed by 1 or more members of the EC.

51 Quorum

- (1) No business may be conducted at an EC meeting unless a quorum is present.
- (2) The quorum for an EC meeting is the presence (in person) of a minimum of 6 EC members holding office.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of an EC meeting—
 - (a) in the case of a special meeting—the meeting lapses;
 - (b) in any other case—the meeting must be adjourned to a date no later than 14 calendar days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with Section(48).

52 Voting

- (1) On any question arising at an EC meeting, each EC member present at the meeting has one vote.
- (2) In the meeting, voting is by raising hand in favour of the motion. Secret ballot is not allowed.
- (3) Proxy votes are not allowed.
- (4) A motion is carried if a majority of the EC members present at the meeting vote in favour of the motion.
- (5) If votes are divided equally on a question, the chair of the meeting has a second or casting vote.
- (6) Email voting is allowed for the resolutions which cannot wait until the forthcoming EC meeting. The quorum for email voting is receipt of email from at least from 6 members.

53 Conflict of Interest

- (1) An EC member who has a material personal interest in a matter being considered at an EC meeting must disclose the nature and extent of that interest to the EC.
- (2) The member—
 - (a) must not be present while the matter is being considered at the meeting; and
 - (b) must not vote on the matter
 - (c) shall be replaced by a Member of the Board (who does not have a conflict of interest with the matter) as designated by the Chief Advisor to discuss and vote on the matter.
- (3) This Section does not apply to a material personal interest—
 - (a) that exists only because the member belongs to a category of persons for whose benefit the Association is established; or
 - (b) that the member has in common with all, or a substantial proportion of, the members of the Association.

54 Minutes of Meeting

- (1) The General Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each EC meeting are recorded and records kept.
- (2) The minutes must record the following—
 - (a) the names of the EC members and others in attendance at the meeting;
 - (b) the business considered at the meeting;
 - (c) any resolution on which a vote is taken and the result of the vote;
 - (d) any material personal interest disclosed under Section(53).
- (3) To ensure the accuracy of the minutes, the minutes of each EC meeting must be approved by the President or their designate verifying their accuracy.



55 Leave of Absence & Casual Vacancies

- (1) The EC may grant an EC member leave of absence from EC meetings for a period not exceeding 2 months.
- (2) The EC must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the EC member to seek the leave in advance.
- (3) If an EC Member is absent without a reason acceptable to EC and fails to attend three consecutive meetings, the individual's position in the committee shall automatically become vacant and filled by the President co-opting an individual to serve for the remainder of the term until next elections.
- (4) For any reason a vacancy occurs in the EC, President can co-opt any member from the Executive Body for the vacant position to serve until the next elections.
- (5) The term of persons holding the co-opted positions expires at the next elections.
- (6) In case of vacancy in the office of the President, the Vice-President shall hold the office of the President.
- (7) However, if the office still remains vacant, the Board shall nominate eligible Voting Members until the next elections.
- (8) In case of vacancy of General Secretary, Assistant General Secretary shall act as General Secretary.
- (9) In case of vacancy of both General Secretary and Assistant General Secretary, President can nominate other EC member for the position.
- (10) If with the best efforts as above, any of the following positions remain vacant, the Board shall retire EC and call for a General Meeting to elect new EC.
 - (a) President
 - (b) General Secretary
 - (c) Treasurer

56 Resignation of EC Member

- (1) An EC member may resign from the EC by giving advance notice of minimum 30 calendar days, in writing, to the General Secretary or to the President if the EC member is General Secretary.
- (2) Unless withdrawn by the member or accepted by the Committee earlier, the resignation will come in to effect automatically at the end of the notice period.
- (3) Upon the resignation coming in to effect, the General Secretary shall make an entry in the Register of Office Bearers recording the date and time at which that individual ceased to be the EC member of the Association.

57 Automatic Withdrawal of the Powers of EC

- (1) If the AGM of the Association is not held within the period provided by the Rules, all the powers of the EC are automatically withdrawn and abdicated to the Board and EC shall continue to function solely as directed by the Board, unless dismissed by the Board.
- (2) The Board at its discretion while keeping the interest of the Association foremost is authorised to dismiss the EC per subclause (27) and call for a General Meeting to elect new EC Members, if—
 - (a) EC fails to maintain peace and harmony in the Association; or
 - (b) EC fails to follow the rules of the Association; or
 - (c) EC mismanages financial matters

58 Management of the Association in the Absence of EC

- (1) It is the responsibility of the Board to ensure that the Association is not deprived of a duly elected EC for a duration that is longer than 3 months.
- (2) If EC powers are withdrawn by the Board or when the Board dismisses the EC, a General Meeting must be held within 3 months of such action to elect new EC.



Article VI – Functions and Responsibilities of the EC Members

59 President

- (1) The President shall be the Chief Executive Officer of the Association and shall perform all the duties incidental to the office of the President and such duties as may be delegated by the Executive Committee and Board of Governance.
- (2) The President shall preside at the meetings of the Executive Committee.

60 Vice President

The Vice President shall—

- (1) assist the President and shall perform duties as assigned by the President; and
- (2) discharge all the duties of the President in the absence of the President; and
- (3) shall automatically succeed to the office of the President at the end of President's term.

61 General Secretary

- (1) The General Secretary shall be the coordinator/ point of contact between the Association and General Body.
- (2) The General Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated Association.
- (3) The General Secretary—
 - (a) shall call for the meetings of the EC; and
 - (b) shall call for the meetings between EC and General Body as required by Rules; and
 - (c) shall prepare the minutes of the meetings and shall be responsible for the maintenance of records, documents, official correspondence of the Association; and
 - (d) shall maintain Register of Members of the Association per subsection(4) below; and
 - (e) shall maintain Register of Office Bearers of the Association per subsection(5) below; and
 - (f) subject to the Act and the Rules, provide Members with access to the Association's records per Section (123); and
 - (g) shall be responsible to ensure that all the reports, documents and records are maintained in order; and
 - (h) is the sole person charged with communications within the Association and from the Association to outside.
 - (i) keep custody of the common seal (if any) of the Association; and
 - (j) perform any other duty or function imposed on the General Secretary by these Rules; and
 - (k) must give to the Commissioner notice of their appointment within 14 days of the appointment.
- (4) The General Secretary must keep and maintain a Register of Office Bearers of the Association that includes—
 - (a) for each current EC member and Board Member—
 - (i) the member's full name; and
 - (ii) the position being held by the member in EC or on Board; and
 - (iii) the address for correspondence; and
 - (iv) the date of becoming a member; and
 - (v) the tenure; and
 - (vi) any other information determined by the EC; and
 - (b) for each former member, the date of ceasing to be a member and the reason thereof.
 - (c) Association's Members have the right to inspect this register except for the address of the Member per Section (123).
- (5) The General Secretary must keep and maintain a Register of Members aged 18 and above, that includes—
 - (a) for each current Member—
 - (i) the Member's full name; and
 - (ii) the address for notice last given by the Member; and
 - (iii) the date of becoming a Member; and
 - (iv) category of membership; and
 - (v) any other information determined by the EC; and
 - (vi) for each former member, the date of ceasing to be a member and the reason thereof.



62 The Assistant General Secretary

The Assistant General Secretary shall—

- (1) assist the General Secretary in the performance of their duties; and
- (2) discharge all the duties of the General Secretary in the absence of the General Secretary; and
- (3) shall automatically succeed to the position of General Secretary at the end of General Secretary's term.

63 Treasurer

- (1) The Treasurer shall be the custodian of the general operating funds and authorized to maintain all accounts, receipts, expenses and disbursements of the Association.
- (2) It is preferred if the Treasurer has professional experience in accounting or related fields; and
- (3) The Treasurer shall be responsible for issuing notice and collection of all dues and deposit the same promptly in the designated bank account of the Association.
- (4) Specifically, the Treasurer is responsible—
 - (a) for the receipt of all moneys paid to or received by them on behalf of the Association and shall issue receipts in the name of the Association for all moneys received; and
 - (b) to promptly depositing all moneys referred to in Subsection (a) above into such account or accounts of the Association as the Executive Committee may from time to time direct; and
 - (c) to make payments from the funds of the Association with the authority of AGM or SGM or of the EC and in so doing ensure that all cheques are signed per the Rules; and
 - (d) to stop disbursing money when the amount spent by the EC exceeds the amount eligible to be spent by that EC for that financial year. In such a situation, the Treasurer may disburse payments only after the EC has sought special permission from the Board before committing to that activity; and
 - (e) to comply on behalf of the Association with the provisions of Rules in respect of the accounting records of the Association; and
 - (f) to have custody of and keep safe all securities, books and documents of all nature and accounting records of the Association; and
 - (g) to cause to be prepared and duly audited annual statements including a balance sheet and a profit and loss account in conformity with generally accepted accounting principles for the financial year ; and
 - (h) to prepare a report with a statement of income and expenditures of the Association to be presented at the AGM ; and
 - (i) to maintain inventory of the movable and personal properties of the Association; and
 - (j) to keep the Finance Advisor fully appraised of the Association's finance matters so that the Finance Advisor can function as the Treasurer when the Treasurer is unavailable; and
 - (k) to cooperate with auditors; and
 - (l) to promptly submitting the EC the financial status of any events that are organized by the Association.

64 Cultural & Religious Events Coordinator

The Cultural & Religious Events Coordinator shall be responsible for—

- (1) Identifying the local talent from the General Body and their families to conduct cultural & religious events on suitable occasions.
- (2) Organise EC approved cultural & religious activities.
- (3) Preside over the sub-committee(s) formed for the purpose of organising cultural & religious events for the Association.
- (4) Advise EC on suitable cultural & religious events that reflect on rich traditions of Telugu People.

65 Assistant Cultural & Religious Events Coordinator

The Assistant Cultural & Religious Events Coordinator shall be responsible for—

- (1) Assisting the Cultural & Religious Events Coordinator; and
- (2) Performing the duties of the Cultural & Religious Events Coordinator when the Cultural & Religious Events Coordinator is unable to perform their duties.

66 Leisure and Sports Coordinator

The Leisure and Sports Coordinator shall be responsible for—

- (1) Identifying the local talent from the General Body and their families to conduct sports/ leisure events.
- (2) Organise EC approved sports activities.
- (3) Preside over the sub-committee(s) formed for the purpose of organising sports events for the Association.
- (4) Advise EC on suitable sports & leisure events.



67 Website Administrator

The Website Administrator shall be responsible for—

- (1) maintaining and managing internet web sites; and
- (2) web site management, domain registration, technology updates and content management; and
- (3) holding and safeguarding passwords associated with Association's web site and group email addresses; and
- (4) preside over the sub-committee(s) formed for the purpose of managing information, communication and technology.



ARTICLE VII—General Meetings of the Association

68 Annual General Meetings (AGM)

- (1) The President must convene an Annual General Meeting of the Association to be held within 4 months after the end of Association's financial year or such longer period as may in a particular case be allowed by the Commissioner.
- (2) The EC may determine the date (on a weekend), time and place (within metropolitan Perth) of the Annual General Meeting.
- (3) The most immediate past President or the most immediate past Chief Advisor (in that order of preference) present in the meeting shall be the chair of the Annual General Meeting. In the absence of any such persons in the meeting, the current President or the current Chief Advisor (in that order of preference) shall be the chair for the Annual General Meeting.
- (4) In the order listed below, the ordinary business of the Annual General Meeting shall be conducted—
 - (a) to confirm the minutes of the previous Annual General Meeting and of any Special General Meeting held since then;
 - (b) to introduce and welcome the Members who joined the Association during the preceding financial year;
 - (c) in the order listed below, to receive and consider—
 - (i) the annual report of the EC on the activities of the Association during the preceding financial year; and
 - (ii) the financial statements of the Association for the preceding financial year submitted by the Committee in accordance with the Act;
 - (iii) to elect the members of the EC as per the Rules;
 - (d) to receive the annual report of the Board on the activities of the Association during the preceding financial year;
 - (e) to elect the members of the Board as per the Rules;
- (5) The Annual General Meeting may also conduct any other business of which notice has been given in accordance with the Rules.
- (6) No business other than that set out in the notice of the meeting may be conducted at the meeting, unless 'general business' was listed as one of the agenda items of the meeting and the majority of the members at the meeting agree for the discussion of that particular item of the general business.

69 Special General Meetings (SGM)

- (1) Any General Meeting of the Association, other than an Annual General Meeting or a disciplinary appeal meeting, is a Special General Meeting (SGM).
- (2) Other than the General Secretary (per Subsection (3) below) or the Governance Controller (per Subsection (4) per below), no other EC Member can call up a SGM.
- (3) The General Secretary may convene a SGM—
 - (a) whenever required by EC and EC thinks it is fit to call SGM; or
 - (b) whenever it is needed by these Rules; or
 - (c) when requested by the Board to address extra-ordinary circumstances; or
 - (d) when requested by the Governance Controller for the purpose of Rules amendment.
- (4) The Governance Controller may convene a SGM—
 - (a) whenever the General Secretary is unwilling or unable to do so; or
 - (b) when directed by the Board.
- (5) Chair of the SGM is—
 - (a) the President when the meeting is called up by the General Secretary; or
 - (b) the Governance Controller when the meeting is called up by the Governance Controller.
- (6) No business other than that set out in the notice of the meeting may be conducted at the meeting, unless 'general business' was listed as one of the agenda items of the meeting and the majority of the members at the meeting agree for the discussion of that particular item of the general business.



70 Special General Meeting Held at Request of Members

- (1) The General Secretary must convene a SGM if a request to do so is made in accordance with Subsection (2) below by at least 40% of the Executive Body.
- (2) A request for a SGM must—
 - (a) be in writing; and
 - (b) state the business to be considered at the meeting and any resolutions to be proposed; and
 - (c) include the names and signatures of the members requesting the meeting; and
 - (d) be given to the General Secretary.
- (3) If the General Secretary does not convene a SGM within one month after the date on which the request is made, the members making the request (or any of them) may seek the Governance Controller to convene the SGM.
- (4) A SGM convened by the Governance Controller under Section ~~(70)~~(3)—
 - (a) must be held within 3 months after the date on which the original request was made; and
 - (b) may only consider the business stated in that request.

71 Notice of General Meetings

- (1) The General Secretary or the Governance Controller (whoever is convening the meeting) must give to each member of the Association—
 - (a) at least 21 days' notice for an AGM; and
 - (b) at least 21 days' notice for a SGM to vote on a Special Resolution; and
 - (c) at least 7 days' notice for discipline review meeting; and
 - (d) at least 14 days' notice for other SGM.
- (2) The notice must—
 - (a) specify the date, time and place of the meeting; and
 - (b) indicate the general nature of each item of business to be considered at the meeting; and
 - (c) if a Special Resolution is to be proposed—
 - (i) state in full the proposed resolution; and
 - (ii) state the intention to propose the resolution as a Special Resolution.
- (3) The notice, along with the agenda of any General Meeting shall be posted or emailed to every member of the Association at the last known residential address or email address shown on the Register of Members.

72 Proxies

- (1) Proxies are not allowed in any General Meetings.

73 Quorum at General Meetings other than for Amendment of Rules

- (1) No business may be conducted at a General Meeting unless a quorum of members is present.
- (2) The quorum for a General Meeting is the presence (physically) of 51% of the members entitled to vote or 50 members entitled to, whichever is lower.
 - (a) If a quorum is not present within 90 minutes after the notified commencement time of a General Meeting—
in the case of a meeting convened at the request of, members under Section ~~(70)~~, the meeting must be dissolved; However, If a meeting convened by, or at the request of, members is dissolved under this Subsection, the business that was to have been considered at the meeting is taken to have been dealt with. If members wish to have the business reconsidered at another SGM, the members must make a new request under these rules.
 - (b) in any other case—
 - (i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and
 - (ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.
- (3) If a quorum is not present within 90 minutes after the time to which a General Meeting has been adjourned under Section ~~(73)~~(2)(a), the members present at the meeting (if not fewer than 7) may proceed with the business of the meeting as if a quorum were present.



74 Adjournment of General Meeting

- (1) The chair of a General Meeting at which a quorum is present may, with the consent of a majority of Members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) Without limiting Subsection (1), a meeting may be adjourned—
 - (a) if there is insufficient time to deal with the business at hand; or
 - (b) if the meeting cannot continue due to disruptions; or
 - (c) if the meeting cannot continue due to the behaviour of the member/s; or
 - (d) to give the members more time to consider an item of business.
- (3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- (4) Notice of the adjournment of a meeting under this Section is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with the Rules.

75 Voting at General Meeting

- (1) On any question arising at a General Meeting—
 - (a) subject to subsection (75)(3), each Executive Body member who is otherwise eligible to vote can cast a maximum of one vote; and
 - (b) except in the case of a Special Resolution, the question must be decided on a majority of votes.
- (2) If votes are divided equally on a question, the chair of the meeting has a second or casting vote.
- (3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.
- (4) This Section (75) does not apply to a vote at a disciplinary appeal meeting.

76 Special Resolutions

- (1) Unless a specific Section or a Subsection of Rules calls for a particular way of voting for that specific Special Resolution, that specific Special Resolution can be voted either in person or by sending the duly filled and signed form accompanying the notice of Special Resolution back to the General Secretary by email to reach the General Secretary 24 hours before the announced start time of the General Meeting in which the specific Special Resolution is proposed to be voted.
- (2) In addition to certain matters specified in the Act, a Special Resolution is required—
 - (a) to invest Association funds as mentioned in Section(7)(7); or
 - (b) to borrow funds in the name of Association as mentioned in (7)(8); or
 - (c) to remove an EC Member from office ; or
 - (d) to remove a Board member from office; or
 - (e) to dissolve the Association; or
 - (f) to merge the Association; or
 - (g) to conclude agreements with other persons or bodies; or
 - (h) to alter these Rules, including changing the name or any of the Aims & Objectives of the Association.

77 Determining whether Resolution carried

- (1) Subject to Section (77)(2), the chair of a General Meeting may, on the basis of a show of hands, declare that a resolution has been—
 - (a) carried; or
 - (b) carried unanimously; or
 - (c) carried by a particular majority; or
 - (d) lost—and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.
- (2) If a poll (where votes are cast in writing) is demanded by three or more members on any question—
 - (a) the poll must be taken at the meeting in the manner determined by the chair of the meeting; and
 - (b) the Chief Advisor must declare the result of the resolution on the basis of the poll.
- (3) A poll demanded on the election of the Chief Advisor or on a question of an adjournment must be taken immediately.
- (4) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the chair.
- (5) The chair's role concludes at the close of the meeting.

78 Minutes of General Meeting

- (1) The General Secretary must ensure that minutes are taken and kept of each General Meeting, irrespective who the chair is.
- (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.



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- (3) In addition, the minutes of each annual General Meeting must include—
- (a) the names of the members attending the meeting; and
 - (b) the financial statements submitted to the members in accordance with these Rules and Act; and
 - (c) the certificate signed by two EC members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and
 - (d) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.



ARTICLE VIII – Division 1— Election of Executive Committee Members

79 General

- (1) For the positions falling vacant or whose term expires in the Executive Committee (EC) and / or Board of Governance, elections shall be held on the same day in a General Meeting within 4 months of the end of financial year.
- (2) Until the new EC Members and/or Board Members are announced by the election officer, the existing EC members and Board Members continue in the office, even though their term was to end.
- (3) Elections for the EC shall be held and results declared and oath taken by the new EC members before the commencement of voting process for the Board of Governance (if any).
- (4) No proxy or postal voting is allowed for the election of EC Members.
- (5) By the end of financial year, the EC members who are eligible to continue in the office (albeit in a different position) beyond the forthcoming General Meeting, shall reconfirm their willingness to continue in the office so that vacancies can be assessed and elections held for such positions as well along with other vacant positions.
- (6) The EC members shall be elected by secret ballot through the first past the post voting system.
- (7) The elections for the EC members can be attended by the General Body. However, only the eligible voting members per Section (82) of the Executive Body have the right to cast their votes.
- (8) Each position shall be contested for separately (i.e., the EC members are elected individually and not as a group).

80 The Election Officer

- (1) The Board shall appoint an election officer, within 30 days of close of the financial year, from an external agency or an association similar to the Association to conduct elections for the vacant positions in EC and/or the Board. The election officer shall conduct the elections as per the Rules and can appoint another person from an external agency or an association to assist in the election process. These positions shall cease to exist once the election process is over and election results are declared by the election officer.

81 Nominations

- (1) Election officer shall call for nominations from the Executive Body members of the Association to fill the vacant positions in the EC, giving them a minimum notice period of 15 days before the closing nomination date.
- (2) The nominations shall be received by the election officer from the person contesting elections by the nomination date set by the election officer as per Rules.
- (3) Elections shall be held within 15 days of closing nomination date.
- (4) The nominations shall be seconded by at least one of the Executive Body members eligible to vote in the elections.
- (5) All nominations for any vacant position of EC members shall be—
 - (a) in writing; and
 - (b) on a prescribed form available with the election officer; and
 - (c) lodged with the election officer on or before the closing nomination date.
- (6) The nomination(s) shall be valid only if the nominee(s) agree in writing to contest for that position.
- (7) The person contesting the election shall be present in the meeting.

82 Member Voting Eligibility

- (1) A person is a Voting Member and is entitled to vote in the elections for EC if—
 - (a) the person is a member of the Executive Body of the Association at least for six (6) months; and
 - (b) continues to meet all the membership pre-requisites; and
 - (c) the member's membership rights are not suspended for any reason; and/or
 - (d) there are no disciplinary proceedings pending against the member.
- (2) Each Executive Body member who is otherwise eligible to vote can cast a maximum of one vote for each of the vacancies being contested for.
- (3) General Members and persons below the age of 18 years shall not have any voting rights.



83 Positions to be declared vacant

- (1) The chair of the General Meeting must declare positions, if any, that are vacant in the EC and hold elections for those positions in accordance with the Rules—
 - (a) after the annual report and financial statements of the Association have been received by the General Body in the General Meeting.
- (2) Elections can be held only for the positions declared vacant by the chair of the General Meeting.
- (3) If there is only one candidate for a position, the candidate is unanimously elected for the position.
- (4) Where the number of nominations for any position in the EC exceed the number of vacancies, the election outcome shall be decided by a secret ballot per Section (84).
- (5) If no nominations have been received for a vacant position in the EC, nominations for such positions may be accepted and voted for, on the day of elections.
- (6) If no nominations are received for the positions of President, General Secretary or the Treasurer, within 2 weeks the Chief Advisor of the Association can co-opt persons to hold these positions from the Executive Body. Under such conditions, until the Chief Advisor of the Association co-opts, the following persons shall hold the vacant positions in addition to their own:
 - (a) The Vice President to act as President
 - (b) Assistant General Secretary to act as General Secretary
 - (c) The Finance Advisor to act as Treasurer

84 Ballot

- (1) If a ballot is required for the election for a position, the chair of the General Meeting must then request the election officer to conduct the ballot.
- (2) Before the ballot is taken, each candidate may make a short speech (not more than 5 minutes) in support of their election.
- (3) The election must be by secret ballot.
- (4) The election officer must give a blank piece of paper to each eligible voting member present in person.
- (5) If the ballot is for a single position, the eligible voter must write on the ballot paper the name of the candidate in a way to clearly identifying the candidate for whom they wish to vote.
- (6) If the ballot is for more than one position—
 - (a) the voter must write on the ballot paper the name of each candidate for whom they wish to vote;
 - (b) the voter must not write the names of more candidates than the number to be elected.
- (7) Ballot papers that do not comply with Section (84) are not to be counted.
- (8) Each ballot paper on which the name of a candidate has been written in a way that clearly identifies the candidate counts as one vote for that candidate.
- (9) The election officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes.
- (10) If the election officer is unable to declare the result of an election under Section (84)(9) because 2 or more candidates received the same number of votes, the election officer must decide by lot which of them is to be elected by the toss of an Australian coin.
- (11) Members shall be declared elected immediately after the result of the vote has been ascertained and shall hold office until the next election, following such declaration of the result.
- (12) Upon the election officer announcing the election results, the EC members taking their new roles shall take an oath of pledge and allegiance administered by the Chief Advisor of the Association or the election officer before assuming office and continuing with their new duties immediately thereupon.



ARTICLE VIII – Division 2— Election of Board of Governance

85 General

- (1) Elections for the EC shall be held and results declared and oath taken by the new EC members per Article VIII Division 1, before the commencement of voting process for the Board of Governance.
- (2) No proxy or postal voting is allowed for the elections for Board of Governance.
- (3) By the end of financial year, the Board Governance who are eligible to continue in the office beyond the forthcoming General Meeting, shall reconfirm their willingness to continue in the office so that vacancies can be assessed and elections held for such positions as well along with other vacant positions.
- (4) All the Executive Body members are reminded of their duty to attend the General Meeting to elect the Board of Governance.
- (5) The Board of Governance shall be elected by secret ballot through the first past the post voting system.
- (6) The elections for the Board of Governance can be attended by the General Body. However, only the eligible voting members per Section (88) have the right to cast their votes.
- (7) Each position shall be contested for separately (i.e., the Board Members are elected individually and not as a group).

86 The Election Officer

- (1) Refer to Section (80).

87 Nominations

- (1) Election officer shall call for nominations from the Executive Body members of the Association to fill the vacant positions in the Board of Governance giving them a minimum notice period of 15 days before the closing nomination date.
- (2) The nominations shall be received by the election officer from the person contesting elections by the nomination date set by the election officer as per Rules.
- (3) Elections shall be held within 15 days of closing nomination date.
- (4) The nominations shall be seconded by at least one of the Executive Body members eligible to vote in the elections.
- (5) All nominations for any vacant position of Board of Governance shall be—
 - (a) in writing; and
 - (b) on a prescribed form available with the election officer; and
 - (c) lodged with the election officer on or before the closing nomination date.
- (6) The nomination(s) shall be valid only if the nominee(s) agree in writing to contest for that position.
- (7) The person contesting the election shall be present in the meeting.

88 Member Voting Eligibility

- (1) A person is a Voting Member and is entitled to vote in the elections of Board of Governance if—
 - (a) the person is a member of the Executive Body of the Association at least for six (6) months; and
 - (b) continues to meet all the membership pre-requisites; and
 - (c) the member's membership rights are not suspended for any reason; and/or
 - (d) there are no disciplinary proceedings pending against the member.
- (2) Each Executive Body member who is otherwise eligible to vote can cast a maximum of one vote for each of the vacancies being contested for.
- (3) General Members and persons below the age of 18 years shall not have any voting rights.

89 Positions to be declared vacant

- (1) The chair of the General Meeting must declare positions, if any, that are vacant on the Board and hold elections for those positions in accordance with the Rules—
 - (a) after the annual report and financial statements of the Association have been received by the General Body in the General Meeting; and
 - (b) after the elections for EC have been conducted; and
 - (c) the new EC members, if any, have taken oath.
- (2) Elections can be held only for the positions declared vacant by the chair of the General Meeting.
- (3) If there is only one candidate for a position, the candidate is unanimously elected for the position.
- (4) Where the number of nominations for any position on the Board exceeds the number of vacancies, the election outcome shall be decided by a secret ballot per Section (90).



- (5) If no nominations have been received for a vacant position of the Board of Governance, nominations for such positions may be accepted and voted for, on the day of elections. The person being nominated/ contesting the election shall be present in the meeting.
- (6) If no nominations are received for the position of Chief Advisor of the Association, the following avenues shall be explored in the order of preference listed.
 - (a) The outgoing Chief Advisor of the Association agrees to continue for one more year
 - (b) The outgoing Chief Advisor of the Association nominates a person of their choice from the Executive Body members present in the meeting to be the Chief Advisor of the Association for one year and that person agrees to be so.
 - (c) The Finance Advisor who would still be in the office, irrespective of the election outcome, if they choose to can nominate themselves for the full 3 year position of Chief Advisor of the Association. However, nominations shall be received on the floor for the newly vacant position of Finance Advisor and elections held. The person being nominated/ contesting the election shall be present in the meeting.
 - (d) The Governance Controller who would still be in the office, irrespective of the election outcome, if they choose to can nominate themselves for the full 3 year position of Chief Advisor of the Association. However, nominations shall be received on the floor for the newly vacant position of Governance Controller and elections held. The person being nominated/ contesting the election shall be present in the meeting.
 - (e) In addition to his role, the President also functions as acting Chief Advisor of the Association until next General Meeting or 12 months whichever is earlier.
- (7) If no nominations are received for the positions of Finance Advisor and/or Governance Controller such positions shall be co-opted by the Chief Advisor of the Association on the floor of the General Meeting from the Executive Body after the election results are declared by the election officer. The person(s) being co-opted need not be present in the meeting.

90 Ballot

- (1) If a ballot is required for the election for a position, the chair of the meeting must then request the election officer to conduct the ballot.
- (2) Before the ballot is taken, each candidate may make a short speech (not more than 5 minutes) in support of his or her election.
- (3) The election must be by secret ballot.
- (4) The election officer must give a blank piece of paper to each eligible voting member present in person.
- (5) If the ballot is for a single position, the eligible voter must write on the ballot paper the name of the candidate in a way to clearly identifying the candidate for whom they wish to vote.
- (6) If the ballot is for more than one position—
 - (a) the voter must write on the ballot paper the name of each candidate for whom they wish to vote;
 - (b) the voter must not write the names of more candidates than the number to be elected.
- (7) Ballot papers that do not comply with Section (90) are not to be counted.
- (8) Each ballot paper on which the name of a candidate has been written in a way that clearly identifies the candidate counts as one vote for that candidate.
- (9) The election officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes.
- (10) If the election officer is unable to declare the result of an election under Section (90)(9) because 2 or more candidates received the same number of votes, the election officer must decide by lot which of them is to be elected by the toss of an Australian coin.
- (11) Members shall be declared elected immediately after the result of the vote has been ascertained and shall hold office until the next election, following such declaration of the result.
- (12) Upon the election officer announcing the election results, the Board Members taking their new roles shall take an oath of pledge and allegiance administered by the Chief Advisor or the incoming President or the outgoing Chief Advisor of the Association or the outgoing President or the election officer before assuming office and continuing with their new duties immediately thereupon.
- (13) Each EC member and Board Member taking office, shall be deemed to have consented and agreed to accept the ongoing affirmative duty and responsibility to assist and fully cooperate with the EC and/or the Board in any matter pertaining to that member's term in the office. Each current or former Office Bearer has an ongoing, affirmative duty, in such cases, to make themselves reasonably available to the Association for such period of time as may be reasonably required to resolve such matter or matters as and when they arise.

91 Conclusion of the Election Process

- (1) Upon the election officer announcing the election results and the new members of EC and/or Board of Governance taking oath, the election process is considered concluded.
- (2) Incoming and outgoing Office Bearers shall attend to Section (92)(3) before leaving the floor of elections.



ARTICLE IX – Transfer of Office

92 Transfer of Office

- (1) The terms of EC members and the Board members are designed so that some of the previous year's knowledge remains within the Committee and/or the Board as the case may be. Even so, after elections, a formal transfer of office shall take place.
- (2) Immediately following election to office each incoming EC member and incoming Board member shall take all steps necessary to become familiar with all of the terms and provisions of the Act, Rules and Bylaws (if any).
- (3) Immediately after the incoming EC members have taken oath, the outgoing general secretary along with the outgoing treasurer shall hand over the following documentation to the incoming General Secretary—
 - (a) copy of the annual report of the outgoing EC as submitted in the AGM; and
 - (b) copy of the financial statements of the Association for the preceding financial year as submitted by the EC in the AGM; and
 - (c) updated bank signatory authorization form; and
 - (d) copy of Rules; and
 - (e) copy of Bylaws, if any; and
 - (f) passwords to Association's website and group email systems.
- (4) Within 7 days of the incoming EC members joining the office, the General Secretary shall call for a handover meeting with the outgoing EC members (giving them a minimum notice period of 7 days). During that meeting, the outgoing general secretary shall handover the General Secretary—
 - (a) all the financial records and books; and
 - (b) list of pending invoices; and
 - (c) all the minutes of meeting; and
 - (d) member Register; and
 - (e) Register of the Office Bearers (which the new EC shall update); and
 - (f) All other records and books of the Association.
- (5) The outgoing EC members shall be present in the handover meeting and provide the new EC necessary assistance that is required to affect an orderly and timely transfer of office.
- (6) The incoming EC members shall be aware that the Association is obliged to retain the financial records for 7 years after the transactions covered by the records are completed.



ARTICLE X – Division 1— Grievance Procedure

93 Administration

- (1) The grievance procedure shall be administered by EC while keeping the Board apprised of progress or otherwise of each case.

94 Application

- (1) The grievance procedure set out in this Article applies to disputes between—
 - (a) a member and another member; or
 - (b) a member and the EC; or
 - (c) a member and the Board; or
 - (d) EC and the Board; or
 - (e) a member and the Association.
- (2) A member must not initiate a grievance procedure in relation to a matter—
 - (a) that is the subject of a disciplinary procedure until the disciplinary procedure has been completed; or
 - (b) that is considered vague and/or frivolous which could result in waste of efforts, energy and time of the Association; or
 - (c) that is libellous; or
 - (d) that had already been resolved or mediated.
- (3) In relation to the matter of grievance, if the member has indulged in unlawful activities against other members, that matter cannot be pursued under this grievance procedure.

95 Parties must attempt to resolve the dispute

- (1) The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

96 Appointment of mediator

- (1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by Section (95), the parties must within 10 days—
 - (a) notify the EC of the dispute; and
 - (b) agree to or request the appointment of a mediator; and
 - (c) attempt in good faith to settle the dispute by mediation.
- (2) The mediator must be—
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement—
 - (i) if the dispute is between a member and another member—a person appointed by the EC within 30 days of the parties requesting mediation; or
 - (ii) if the dispute is between a member and Board member or Board—a person appointed by the EC within 30 days of the parties requesting mediation; or
 - (iii) if the dispute is between EC and the Board member —a person appointed by the Board within 30 days of the parties requesting mediation; or
 - (iv) if the dispute is between a member and the EC or the Association—a person appointed or employed by the commissioner. In this case, within 30 days of the parties requesting mediation, the EC shall request the commissioner to arrange for mediation.
- (3) A mediator may be a member or former member of the Association but in any case must not be a person who—
 - (a) has a personal interest in the dispute; or
 - (b) is biased in favour of or against any party.

97 Mediation process

- (1) The mediator to the dispute, in conducting the mediation, must—
 - (a) give each party every opportunity to be heard; and
 - (b) request each party to submit written statement; and
 - (c) ensure that natural justice is accorded to the parties throughout the mediation process.
- (2) The mediators appointed by EC or Board shall conclude the mediation process within 30 days of their appointment.
- (3) The mediator must not determine the dispute.



98 Failure to resolve dispute by mediation

- (1) If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute—
 - (a) at AGM through an agenda item; or
 - (b) in accordance with the Act; or
 - (c) otherwise at law.



ARTICLE X – Division 2— Member Disciplinary Action

99 Administration

- (1) The Member disciplinary action shall be administered by EC while keeping the Board apprised of progress or otherwise of each case.

100 Grounds for taking disciplinary action

- (1) The Association may take disciplinary action against a member in accordance with this Section if it is determined that the member:
 - (a) has failed to comply with the Rules; or
 - (b) refuses to support the aims & objectives of the Association(4); or
 - (c) breaches the non-discrimination policy (8); or
 - (d) has repeatedly failed in adhering to member obligations; or
 - (e) activities have a negative impact on peace and community harmony within the Association; or
 - (f) has engaged in conduct prejudicial to the Association; or
 - (g) is not supportive of the unity of membership; or
 - (h) is libellous; or
 - (i) is not supportive of the integrity and continued existence of the Association.

101 Disciplinary Subcommittee

- (1) EC is satisfied that there are sufficient grounds for taking disciplinary action against a Member, the EC shall appoint a 5 member disciplinary subcommittee to hear the matter and determine what action, if any, to take against the Member.
- (2) The members of the disciplinary subcommittee—
 - (a) may be EC members, Board members, any other Members of the Association or anyone else; but
 - (b) must not be biased against, or in favour of, the Member concerned.

102 Notice to Member

- (1) If disciplinary action is required, before disciplinary action is taken against a Member, the General Secretary must give written notice to the Member—
 - (a) stating that the Association proposes to take disciplinary action against the Member; and
 - (b) stating the grounds for the proposed disciplinary action; and
 - (c) specifying the date (weekend), place (metropolitan Perth) and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and
 - (d) advising the Member that he or she may do one or both of the following—
 - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting; and
 - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
 - (iii) setting out the member's appeal rights per the Rules.
- (2) The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

103 Proceedings of the disciplinary subcommittee

- (1) At the disciplinary meeting, the disciplinary subcommittee must—
 - (a) give the Member an opportunity to be heard; and
 - (b) consider any written statement submitted by the Member.
- (2) After complying with Section (103)(1), the disciplinary subcommittee may—
 - (a) take no further action against the Member; or
 - (b) subject to Section (103)(3)—
 - (i) reprimand the Member; or
 - (ii) suspend the membership rights of the Member for a specified period; or
 - (iii) expel the Member from the Association.
- (3) The disciplinary subcommittee may not fine the Member.
- (4) The suspension of membership rights or the expulsion of a Member by the disciplinary subcommittee under this Section takes effect immediately after the vote is passed.



- (5) The Member shall be informed of the decision of the subcommittee within 24 hours of the decision by the subcommittee.
- (6) With the expulsion of a Member, spouse and other family members also shall lose their membership.

104 EC Advise to the Board

- (1) The decision of the disciplinary sub-committee and the status of the membership of the Member shall be advised by EC to the Board within 24 hours of the decision by the sub-committee.

105 Appeal rights

- (1) A person whose membership rights have been suspended or who has been expelled from the Association may give notice to the effect that they wish to appeal against the suspension or expulsion.
- (2) The notice must be in writing and given—
 - (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
 - (b) to the General Secretary not later than 48 hours after the vote.
- (3) If a person has given notice under Subsection (2), a disciplinary appeal meeting must be convened by the EC (while keeping the Board fully informed of the issue and the developments) as soon as practicable, but in any event not later than 21 days, after the notice is received.
- (4) Notice of the disciplinary appeal meeting must be given to the Executive Body and the Board as soon as practicable and must—
 - (a) specify the date (giving at least 7 days' notice), time (weekend) and place of the meeting (metropolitan Perth); and
 - (b) state—
 - (i) the name of the person against whom the disciplinary action has been taken; and
 - (ii) the grounds for taking that action; and
 - (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

106 Conduct of disciplinary appeal meeting

- (1) At a disciplinary appeal meeting chaired by the President—
 - (a) no business other than the question of the appeal may be conducted; and
 - (b) the EC must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - (c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (2) After complying with Subsection (106)(1), the Executive Body members present and entitled to vote per Section(82) at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (3) Proxy voting is not allowed at the meeting.
- (4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

107 Refund of monies

- (1) No refund of any monies including but not limited to subscriptions/ membership fees paid or donations made to the Association shall be claimed or allowed to be refunded to the member either in part or in full upon their expulsion from Association.
- (2) Expelled Member or the spouse is not eligible to reapply for membership within 24 months of expulsion.
- (3) Children of the expelled Member can apply for membership, once they meet membership qualification requirements, even within the time period specified under Subsection (107)(2).



ARTICLE XI— Conflicts & Amendments of Rules

108 Conflicts in Rules

- (1) In the event of conflict within the Rules—
 - (a) if the conflict is due to a recent amendment to the Rules, that specific recent amendment related to the item of conflict is not considered to be in force; or
 - (b) if the conflict is not due to the most recent amendment, a most recent approved prior version of the Rules which does not have the conflict applies for the specific item of conflict; or
 - (c) if the conflict remains even after referring to the previously approved prior versions of the Rules, the governance controller shall propose to resolve the conflict and seek majority approval from the Board through email giving them enough time depending on the situational needs.
- (2) If the conflict was resolved per Subsection (108)(1)(c), the Rules shall be amended per Section (109) to remove the conflict at the earliest possible opportunity but not later than 6 months from the time the conflict came to fore.

109 Amendment of Rules

- (1) Amendments to Rules can only be made through Special Resolution in a Special General Meeting.
- (2) Executive body is the sole custodian of the Rules of the Association and hence is fully empowered to make any changes as it deems fit by adopting the following steps:
 - (a) Within one month of the Governance Controller taking the office, a standing sub-committee consisting of 5 members with the Governance Controller as the chair shall be formed, which 4 members are selected by the governance controller from the Executive Body.
 - (b) The Members can send their suggestions/ feedback regarding the Rules to the Governance Controller directly for consideration.
 - (c) Periodically and as required by the situations, the sub-committee shall meet to discuss and agree on any proposed amendments to the Rules.
 - (d) If amendments are warranted and once the sub-committee agrees to those amendments through majority vote, the Governance Controller shall distribute all proposed amendments to the Executive Body for their review and comment (by email) within 21 calendar days.
 - (e) Upon consolidating the comments of the Executive Body received per Subsection (d) and upon finalising the amendments and upon receiving agreement of the sub-committee for the amendments by majority, the Governance Controller shall request EC to call up SGM (limited to once in a year), to facilitate amendment of Rules through Special Resolution.
 - (f) Unless to address the conflicts in the Rules (refer Section 108), the Rules shall not be amended more frequently than once in 3 years.
- (3) The quorum for this Special General Meeting shall be as below:
 - (a) Physical presence of 51% or 50 members of the Executive Body members whichever is less who are entitled to vote on amendment of Rules.
 - (b) If a quorum is not present within 90 minutes after the notified commencement of this meeting
 - (i) the meeting must be adjourned to a date not more than 7 days after the adjournment; and
 - (ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.
 - (c) For the adjourned meeting as per subsection (b), physical presence of 25% or 25 members of the Executive Body members whichever is less who are entitled to vote on amendment of Rules.
If the quorum is not met in the adjourned meeting, the meeting is considered cancelled.
- (4) Any amendment to the Rules requires approval of absolute majority of 75% of the Executive Body either in person or through post or email or a combination thereof. However, amendments related to election process or finance matters require voting in person.
- (5) The standing sub-committee retires when the Governance Controller who appointed those members is no longer the Governance Controller.
- (6) Within one month of the passing of a Special Resolution amending the Rules, the General Secretary shall lodge the amended Rules along with supporting documentation and fees with the Commissioner for approval.
- (7) Amended Rules do not take effect unless or until the Rules are approved by the Commissioner.
- (8) Once amended Rules are lodged with the Commissioner, if such is in the interest of the Association, EC is authorised to plan for events, functions, meetings, elections and activities in anticipation of the approval of the Commissioner. However, such events, functions, meetings, elections and activities, when performed shall be as per approved Rules prevalent at that time.



ARTICLE XII—Division 1 –Financial Matters

110 Use of Funds

- (1) The income and property of the Association where-so-ever derived from shall be applied solely towards the promotion of the aims & objectives of the Association as set out in Section (4).
- (2) No part of the funds of the Association shall incur to the benefit of, or be distributable to, its members, officers, or other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the aims & objectives of the Association as set out in Section (4).

111 Source of funds

- (1) The funds of the Association may be derived from membership fees, programme/ project sponsors, annual subscriptions, donations, fund-raising activities, governmental and/or agency grants, interest and any other sources approved by the EC.
- (2) The EC shall maintain a register of donors who have donated \$2,000 or more for specific items of the Aims & Objectives of the Association (See Section (4)), maintaining anonymity if donors so request. Such donations, until so required, are invested only in recognized investment accounts.
- (3) The Association may accept cash, kind, material offers relevant and useful to meet the aims & objectives of the Association as set out in Section (4).

112 Management of funds

- (1) The Association must open and maintain a financial account (interest bearing savings account) and an operational account (cheque account) with any of the Australian nationalized major banks.
- (2) Operational expenses of the Association shall be met from the following revenue streams—
 - (d) Bank interest accrued from the financial account; and
 - (e) Bank interest accrued from the operational account; and
 - (f) Bank interest accrued from the term deposits; and
 - (g) Annual General Membership fees; and
 - (h) Sponsorship/ advertisement receipts; and
 - (i) Donations made without specifying the purpose.
- (3) All expenditure of the Association is made from the Operational account and into which all of the Association's revenue is deposited.
- (4) All funds of the Association must be deposited into the cheque account of the Association no later than 5 working days after receipt.
- (5) Unless approved by the Board, the following funds shall be kept in term deposits—
 - (a) Membership fees of lifetime financial members; and
 - (b) Donations made for specific purposes; and
 - (c) Other funds as advised by the Board.
- (6) If there are more than \$5000.00 in the operational account, and those funds are not envisaged to be used within the next 2 months shall be transferred in to financial account. However, any amounts received from the members as Lifetime Financial Membership fees shall be transferred to financial account within 7 days of acceptance of membership for eventual depositing in to term deposits once in a year.
- (7) Funds that are not envisaged to be used during the current financial year shall be invested in term deposits with an Australian nationalized major bank if such funds are more than \$5000.00.
- (8) The signatories for financial account shall be the Chief Advisor, the treasurer and the Finance Advisor.
- (9) The signatories for the operational account shall be the President, the treasurer and the Finance Advisor.
- (10) All payments more than \$ 300.00 shall be made by cheque or bank transfer only. The treasurer is authorized to make the payments from the operational account if such expenses have been pre-approved by EC as a financial resolution.
- (11) Subject to any restrictions imposed by a General Meeting of the Association or the Rules, the EC may approve expenditure on behalf of the Association.
- (12) For those urgent payments not discussed and minuted, the payments should be authorised in writing by the President, the treasurer and Finance Advisor.
- (13) For any single purchase costing more than \$1,500.00 the full details including scope of work, the quotations from at least 2 parties and the detailed break up of expenses must be submitted to the EC for written approval.



Table 113.1– Distribution of Funds

SOURCE OF FUNDS	Cheque Account	Financial Account
Lifetime Financial membership fee		100%
Bank interest on Financial Account	100%	
Bank interest on Cheque Account	100%	
Annual membership fee (for General Membership)	100%	
Sponsorships for events	100%	
Function advertising / donations	100%	
Donations received	100%	
Surplus funds if any accumulated at the end of every Financial Year in the Cheque Account		100%

113 Intended use of funds

- (1) To procure real property for and in the name of the Association.
- (2) Expenses related to organising the events in the 'schedule of events' calendar of the Association.
- (3) Emergency donations to Members in extreme situations as approved by EC and Board.
- (4) Any expenses in furtherance of the Aims & Objectives of the Association.

114 Unintended use of funds

- (1) Unauthorised Expenses
- (2) Illegal expenses
- (3) Expenses made for personal benefit
- (4) Pledging of the Association's assets and or funds for Member's personal benefit

115 Financial records

- (1) The Association must keep financial records that—
 - (a) correctly record and explain its transactions, financial position and performance; and
 - (b) enable financial statements to be prepared as required by the Act.
- (2) The treasurer must keep in their custody, or under their control—
 - (a) the financial records for the current financial year; and
 - (b) any other financial records as authorised by the EC.

116 Financial statements

- (1) For each financial year, the EC must ensure that the requirements under the Act relating to the financial statements of the Association are met.
- (2) Without limiting subsection (1) above, those requirements include—
 - (a) the preparation of the financial statements;
 - (b) if required, the review or auditing of the financial statements;
 - (c) the certification of the financial statements by the EC;
 - (d) the submission of the financial statements to the annual General Meeting of the Association;
 - (e) the lodgement with the Commissioner of the financial statements and accompanying reports, certificates, statements and fee, if and when required by the Commissioner.



ARTICLE XII-Division 2 —General Matters

117 Pledging of Credit

- (1) Other than as provided by the Rules, no Member or a person shall have power to pledge the Association's credit or involve the Association in any financial liability without pre-approval of the Board.

118 Common Seal

- (1) The Association shall have a common seal, and —
 - (a) the name of the Association must appear in legible characters on the common seal; and
 - (b) a document may only be sealed with the common seal by the authority of the EC or the Board and the sealing must be witnessed by the signatures of two EC members or two Board members; and
 - (c) the common seal must be kept in the custody of the General Secretary.

119 Legal Advisor

- (1) If required, an honorary legal advisor may be elected in a General Meeting who must be a qualified barrister or solicitor practicing in Western Australia.

120 Auditor

- (1) An honorary auditor may be elected by the AGM who must be a qualified accountant and may be a member of the Association but not a member of the Board or EC.

121 Public Officer

- (1) The General Secretary shall act as the public officer of the Association.

122 Notice Requirements

- (1) Unless provided specifically otherwise by the Rules, any notice required to be given to a Member under the Rules may be given—
 - (a) by handing the notice to the Member personally; or
 - (b) by post to the address recorded for the Member on the Register of Members; or
 - (c) by email to the Member.
- (2) Any notice required to be given to the Association or the EC may be given—
 - (a) by sending the notice by post to the Registered Address; or
 - (b) by leaving the notice at the Registered Address; or
 - (c) if the EC determines that it is appropriate in the circumstances—
 - (i) by email to the email address of the Association or the General Secretary.

123 Custody and Inspection of Books and Records

- (1) Upon giving 7 day notice to the General Secretary any Member of the Association has the right to inspect the relevant documents (per Subsection (3) below) of the Association kept at the Registered Office of the Association between 0900AM and 0500PM on a Saturday or Sunday as agreed by the General Secretary, to transcribe full or any part of their contents.
- (2) Any single visit by the member to the Registered Office for the purpose of transcribing information shall not exceed 1 hour.
- (3) Member shall be aware that no photocopier or a camera or similar device is available at the Registered Office for this purpose. Also, taking a photo of the Association's documents is not permitted and the Member does not have a right to remove the relevant documents from the Registered Office of the Association.
- (4) Inspection of the Association's documents by Members shall only be limited to—
 - (a) the full name of the Member as recorded in the Register of Members;
 - (b) Register of Office Bearers except their address;
 - (c) the minutes of General Meetings;
 - (d) the Rules;
 - (e) the Bylaws, if any.
- (5) Access to the personal information of a person recorded in the register of members may be restricted by EC in certain circumstances.
- (6) Members are advised that per Australian privacy laws, it could be an offence to make improper use of information about a person obtained from the Register of Members.
- (7) The EC may refuse to permit a Member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.



124 Prohibition on use of Information on Registers of Members and Office Bearers

- (1) A Member of the Association must not—
 - (a) use information obtained from the Register of Office Bearers and/or the Register of Members of the Association to contact, or send material to, another Member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes; or
 - (b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another Member of the Association for the purpose of advertising for political, religious, charitable or commercial purposes.
- (2) Subsection (1) above does not apply if the use or disclosure of the information is approved by the Association.

125 Personal Liability & Indemnity

- (1) No Member or Office Bearer of the Association shall, as such, upon and after the incorporation of the Association be under any personal liability to any creditor of the Association beyond the property of the Association in the person's hands.
- (2) Every member of the EC and the Board and the Auditors shall be indemnified out of the assets of the Association against any liability incurred by them in their official capacity. The indemnification includes defending any proceedings, whether civil or criminal in which judgment is given in the person's favour or in which the person is acquitted or in which relief is granted to him by the court in respect of any negligence, default, breach of duty or breach of trust.
- (3) The EC is authorized to purchase insurance for such indemnification to the full extent as determined from time to time by the EC.
- (4) Through Special Resolution passed by an absolute majority 75% of the Executive Body, the Association at its cost will defend any legal suits against its Office Bearers for actions undertaken by them in good intent. Email voting or in person voting or a combination thereof is acceptable for this resolution.

126 Winding up and Cancellation

- (1) The Association may be wound up voluntarily through Special Resolution.
- (2) Before the Special Resolution can be called by EC, an absolute majority of 75% of the Executive Body shall agree for the contents of the Special Resolution and submit a signed application to the Chief Advisor.
- (3) Upon receipt of the application as above, the Chief Advisor advises EC of receipt of the agreement of the Executive Body.
- (4) EC shall send the notice of General Meeting calling for Special Resolution two (2) calendar months before the day affixed for the General Meeting.
- (5) At the General Meeting called for, the Executive Body members shall vote in person or return to the General Secretary a duly signed form sent to them for that purpose with their vote. The motion is allowed if Absolute majority of 75% of the Executive body members of the Association carry the motion.
- (6) In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.
- (7) Upon the dissolution of the Association, the Board shall after paying or making provision for the payment of all the liabilities of the Association, dispose of all the assets of the Association to the association/s organized and operated exclusively for charitable, educational, religious, or scientific purposes and incorporated under the Act.
- (8) The Special Resolution for determination of which such association/s receive these assets shall be passed by an absolute majority of 75% of the Executive Body members voting in person or signed form or return to the General Secretary a duly signed form sent to them for that purpose with their vote.

127 Applicable Act and Jurisdiction

- (1) Associations Incorporation Act 1987 (State of Western Australia) is applicable for all activities of the Association.
- (2) For any disputes, the jurisdiction shall be the location where the Registered Office of the Association is located.



ARTICLE XIII — Streamlining of Membership Categories

128 Applicability of this Article

- (1) This Article is only applicable to the persons who are Members of the Association on the date on which the Commissioner has approved these Rules.

129 Abolition of Governing Body

- (1) These Rules abolish the previous category of Governing Body Membership.
- (2) Upon these Rules being approved by the Commissioner, the Members of the Association who were in the Governing Body shall become Lifetime Financial Members and will inherit the rights and obligations of the Executive Body automatically with no distinction from the existing Executive Body.

130 Reduction of Lifetime Financial Membership fee

- (1) These Rules significantly lower the lifetime membership fee for the Association.
- (2) The Governing Body Members and a vast majority of the Lifetime Financial Members have paid much higher fee, than required by these Rules.
- (3) In view of the above, within 60 days of these Rules being approved by the Commissioner, the Members of the Association who have earlier paid fee higher than \$125.00, shall have their excess membership fee returned by the Association.