



**Serbian Cultural and  
Information Centre  
Cairns Inc.**

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**CONSTITUTION**

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Incorporating the Queensland Government Model Rules, and adopted by-laws and objects. The Association abides by the Associations Incorporation Act 1981. This association was incorporated under – IA13957- on the 28<sup>th</sup> July 1994 at the Department of Consumer Affairs, Queensland.

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## SECTION 1 WORDS AND EXPRESSIONS

A word or expression that is not defined in this constitution, but is defined in the Associations Incorporation Act 1981 has, if the context permits, the meaning given by the Act.

## SECTION 2 NAME

The name of the incorporated association is "Serbian Cultural and Information Centre Cairns Inc."

## SECTION 3 OBJECTS

The objects of the association are –

1. To foster and maintain close cooperation with all Serbian Orthodox Churches and Serbian National Clubs and Associations in Queensland and throughout Australia.
  - a. To maintain close association and cooperation with other community groups and nationalities of Australia in order to foster understanding and sharing of cultural and traditional beliefs within the laws of Australia.
2. To nurture and uphold the traditions, religious beliefs, language, culture and folklore of the Serbian people by –
  - a. Maintaining a Folkloric Section - to nurture the dances and songs of the Serbian culture, and the making, display and storage of national costumes for these.
  - b. Maintaining an Information and Learning Section – to provide access to information and literature about the history, language, writers, artists, historical and important figures from the past and present, and opportunities to showcase the art and craft works of the community.
  - c. Maintain knowledge of and participation in traditional Serbian and Australian festivals, celebrations, and public holidays.
  - d. Maintain religious beliefs and language through study groups, guest speakers, excursions, exchanges of information with other groups, sporting and recreation activities
3. To promote and encourage any activity which seeks to achieve the unity of the Serbian people and their faith within the Australian multicultural community.
4. To always maintain without change, own, keep and preserve the name of the Serbian Cultural and Information Centre Cairns Inc.
5. To ensure that the flag of the association shall always remain the same as the Serbian National Flag, which is red, blue and white, with a Serbian crest with crown. And to ensure the display of the Serbian, Australian and Queensland flags at all functions.

6. To make suggestions, recommendations and representations to any bodies, authorities, or persons association and/or its members.
7. To provide for members and member's guests a social club with all the usual facilities of a club including liquid and other refreshments, libraries, arts and crafts groups and displays, provision for social exchange, competitions and other social amenities.
8. To provide premises for the use of the wider cultural community in order to foster closer ties with a multicultural society and their cultural activities.

## SECTION 4      POWERS

The powers of the association are –

1. The association has the powers of an individual
2. The association may –
  - a. Conduct activities that entertain and involve the Serbian and wider Australian communities in a range of cultural and traditional functions.
  - b. Buy, sell, own, hire, lease, sublease, and deal in all kinds of articles, commodities, goods or property.
  - c. Appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association.
  - d. Invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.
  - e. Make donations for patriotic, charitable or community purposes.
  - f. Take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association.
  - g. Take or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
  - h. Lend, advance money or give credit to any person or body corporate, to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate.
  - i. Draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading, and other negotiable or transferable instruments.
  - j. Open and operate accounts with any bank, building society, friendly society, investment company or other person or corporation, and to deal with any interest and income derived therefrom and any safe custody holdings made therewith, and to borrow therefrom with or without security whether or not the exercise of such power is of benefit to a Member directly or indirectly.
  - k. Sell, improve, manage, develop, exchange, lease, dispose of, turn to account, or otherwise deal with all or any part of the property and rights of the Association.

- l. Take or hold mortgages, liens or charges, secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association property of whatsoever kind sold by the Association from purchases and other.
  - m. Take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purposes of procuring contributions to the funds of the Association, by way of donations, annual subscriptions or otherwise.
  - n. Print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects, including possible radio and television programs.
  - o. Institute, conduct, defend, compound or abandon any legal proceedings by or against the Association or its officers or otherwise, concerning the affairs of the Association and also to compound and allow time for payment of satisfaction of any debt due and of any demand by or against the Association.
  - p. Do all such other things that are incidental or conducive to the attainment of the objects and the exercise of the power of the Association.
  - q. In the event of the dissolution of the Association pursuant to a special resolution, any surplus property shall be vested in the Serbian Orthodox Monastery Kalenich in Hall, ACT.
3. Borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper, or otherwise secure any moneys and advances borrowed or to be borrowed alone or as aforesaid by notes secured or unsecured, debentures, stock, perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or part of the Incorporated Association's property or assets present and future, and to purchase, redeem or pay off any such securities.

## **SECTION 5      CLASSES OF MEMBERS**

The **classes** of members of this Association will include –

1. Ordinary members : any person over 18 yrs
2. Associate members under the age of 18 : junior members who may not vote but are entitled to all benefits of the association
3. Honorary members : persons from the wider community who have committed themselves to the association and its constitution, but do not vote in meetings, and have free membership
4. Life members : any adult ordinary members who have been nominated at an AGM for extensive services to the association, and who may exercise all privileges of the association, and whose membership is free.
5. Suspended members : any of the above members whose rights and entitlements have been suspended for any period of time due to contradiction of the constitution
6. Un-financial members: members whose annual membership fees have not been paid for more than two months from the start of the financial year and who may not vote at a meeting until fees are paid.

## **SECTION 6 MEMBERSHIP**

Membership includes –

1. Any person of Serbian descent or their family and friends, or members of the wider community who have shown support of, and willingness to belong to, the Serbian Cultural and Information Centre Cairns Inc.
2. An applicant for membership of the association must be proposed by 1 member of the association (the **proposer**) and seconded by another member (the **seconded**).
3. An application for membership must be –
  - a. In writing
  - b. Signed by the applicant and the applicants proposer and seconded, and
  - c. Completed on the form provided by the management committee, and
  - d. Signed and approved by the management committee
  - e. Provided with a numbered membership identification card.

## **SECTION 7 MEMBERSHIP FEES**

The membership fee for each class of member is–

1. The amount decided by the members from time to time at a general meeting, and
2. Is payable within two months before the end of the financial year, the 30<sup>th</sup> June, or as the management committee decides.
3. Must be receipted with official association receipt.
4. New memberships will be calculated at a pro rata rate if applying before the end of a financial year.

## **SECTION 8 ADMISSION AND REJECTION OF MEMBERS**

1. The management committee must consider an application for membership at the next meeting of the committee held after it receives –
  - a. The application, and
  - b. The appropriate membership fee for the application
2. The management committee must decide at the meeting whether to accept or reject the application
3. If a majority of the management committee members present at the meeting vote to accept the applicant as member, the applicant must be accepted as a member to the class of membership applied for.

4. The secretary must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision, and provide a membership ID card and receipt for payment of membership.

## **SECTION 9 WHEN MEMBERSHIP ENDS**

1. A member may resign from the association by giving written notice of resignation to the secretary.
2. The resignation takes effect on the day and at the time the notice is received by the secretary, or if a later day is stated in the notice – the later day.
3. A membership may be suspended for a period of time decided by the management committee and/or members if a member has taken part in actions or activities that are not in line with these rules.
4. The management committee may terminate a member's membership if the member –
  - a. Is convicted of an indictable offence, or
  - b. Does not comply with any of the provisions of these rules, or
  - c. Has membership fees in arrears for at least two months, or
  - d. Conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association, or
  - e. Conducts activities or actions that are unauthorized by the association's management committee.
5. A member whose membership has been terminated may be eligible to reapply for membership after a minimum period of five years has elapsed, or until such time as the management committee and members decide to reconsider their application.
6. Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.
7. If, after considering all representations made by the member, the management committee decides to terminate the membership, the committee must give the member a written notice of the decision.

## **SECTION 10 APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

1. A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of their intention to appeal against the decision within 1 month after receiving written notice of the decision.
2. A notice of intention to appeal must be given to the secretary within one month after the person receives notification.

3. If the secretary receives a notice of intention to appeal, the secretary must call a general meeting within 3 months after day of receipt to decide the appeal.
4. At the meeting the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.
5. Also, the management committee and committee members who rejected or terminated the applicant must be given an opportunity to show why it should be rejected or terminated.
6. If there is no appeal by the person within 1 month after rejection or termination, or an unsuccessful appeal occurs, the treasurer must as soon as possible refund their application fee.

## **SECTION 11 REGISTER OF MEMBERS**

1. The management committee must keep a register of members
2. The register of members must include the following information –
  - a. The full name and residential address of the member
  - b. The date of admission as a member
  - c. The date of death or resignation of a member
  - d. Details about the termination or reinstatement of a member
  - e. Telephone, E-mail and fax details where appropriate
3. The register must be kept in a secure and safe location at all times.

## **SECTION 12 THE EXECUTIVE – ROLES AND RESPONSIBILITIES**

Members of the executive are required to have been members of the management committee for at least one year before being entitled to nomination for the executive.

### **SECTION 12a THE SECRETARY**

1. The secretary must be an individual residing in Queensland who is –
  - a. A member of the association elected by the association as secretary, or
  - b. A member of the association management committee
  - c. A member of the association
2. If a vacancy occurs in the position of secretary, members must ensure a secretary is appointed within 1 month of the vacancy.
3. The management committee may appoint and remove the association's secretary at any time.
4. The secretary must -
  - a. Keep the minutes of all meetings up to date and available for perusal at any time by members.

- b. Collect and issue all correspondence to and from members and the wider community.
- c. File all correspondence for archival purposes.
- d. Maintain contact with relevant groups and individuals as per association and committee requirements.
- e. Produce and send relevant newsletters, invitations and other information for the benefit of members relating to club activities within reasonable time as requested by the management committee.

## **SECTION 12b THE TREASURER**

1. The treasurer must be a resident of Queensland and a member of the Association's management committee as voted by the association.
2. The treasurer is required to –
  - a. Maintain all financial records of the association
  - b. Maintain accounts, receipts and invoices according to management committee requirements
  - c. File all financial statements, invoices and receipts in a secure location
  - d. Coordinate end of year financial statements with a nominated auditor
  - e. Provide regular reports to the management committee
  - f. Provide a full annual statement to all members at the AGM

## **SECTION 12c THE PRESIDENT**

The president -

1. Must be a resident of Queensland and a member of the Association's management committee as voted by the majority of members at an annual general meeting.
2. Is to act as chairman at meetings
3. Is to ensure regular contact with all members through functions, newsletters and various activities
4. Must at all times maintain the integrity and objects of the association.
5. May conduct meetings, make decisions and organize activities with other groups and organizations on behalf of the association with the support and approval of the management committee providing these actions are in the interests of the association



## SECTION 13

## MEMBERSHIP OF MANAGEMENT COMMITTEE

1. The management committee of the association consists of a president, vice-president, treasurer, secretary, and at least five other members as deemed necessary by the management committee from time to time, being a total of an odd number in size.
2. A member of the management committee must be a member of the association.
3. At each annual general meeting of the association, the members of the management committee must retire from office, but are eligible on nomination for re-election.
4. The members of the previous management committee are to be available on request to assist and guide the new management committee in its knowledge of the constitution, policies, activities, roles and responsibilities, actions, and procedures.

## SECTION 14

## ELECTING THE MANAGEMENT COMMITTEE

1. A member of the management committee may only be elected as follows –
  - a. Any person whose membership is a minimum one year duration may be nominated for the position of committee member
  - b. A president, vice president, secretary and treasurer are elected, requiring at least one year experience as committee members before nomination, and 5 other members are elected to the management committee.
  - c. Any 2 members of the association may nominate another member (the 'candidate') to serve as a member of the management committee.
  - d. The nominations should be –
    - i. In writing, and
    - ii. Signed by the candidate and the members who nominated him or her, and
    - iii. Given to the secretary at least 14 days before the annual general meeting at which the election is to be held.
  - e. Each member present at the annual general meeting may vote for a maximum of 9 members to the management committee.
  - f. If, at the start of the meeting, there are not enough candidates nominated, then nominations can be taken from the floor of the meeting.
2. A list of the candidate's names in alphabetical order, with the names of members who nominated each candidate, must be posted in a conspicuous place in the office of the association for at least 7 days immediately preceding the annual general meeting if possible.
3. If required by the management committee, balloting lists may be prepared containing the names of candidates in alphabetical order, otherwise a posted list in a conspicuous location at the AGM will suffice.

## **SECTION 15 RESIGNATION OR REMOVAL FROM OFFICE OF A MANAGEMENT COMMITTEE MEMBER**

1. A management committee member may resign from the committee by giving written notice of resignation to the secretary.
2. The resignation takes effect on the day and time the notice is received, or the day stated in the notice.
3. A member may be removed from office at a general meeting of the association if a majority of the members present at the meeting vote in favour of removing the member.
4. Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.
5. A member has no right of appeal against the member's removal from office under this section.

## **SECTION 16 VACANCIES ON MANAGEMENT COMMITTEE**

1. If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy until the next annual general meeting, or until the member returns to fulfill their role.
2. The management committee must ensure that any new or replacement members are informed of their role and responsibility in the management committee.
3. The continuing members of the management committee may act despite a casual vacancy on the management committee provided this is for a limited period of time, and no more than four months duration.
4. If assistant treasurer or assistant secretary roles are included in the management committee, then these members can automatically replace the treasurer or secretary if they are retired, resigned or removed.
5. However, if the number of committee members falls to less than the number fixed under these rules as a quorum of the management committee, the continuing members may act only to-
  - a. increase the number of management committee members to the number required for a quorum; or
  - b. call a general meeting of the association to nominate sufficient members to the management committee.

## **SECTION 17 FUNCTIONS OF MANAGEMENT COMMITTEE**

1. Subject to these rules or a resolution of the association members carried at a general meeting, the management committee -
  - a. has the general control and management of the administration of the affairs property and funds of the association; and
  - b. has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent.

2. The management committee may exercise the powers of the association -
  - a. to organize activities and functions in line with the cultural objects of the association
  - b. to borrow, raise or secure the payment of amounts in a way the association members decide
  - c. to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the association's property, both present and future
  - c. to purchase, redeem or pay off any securities issued
  - d. to borrow amounts from members and pay interest on the amounts borrowed
  - e. to mortgage or charge the whole or part of its property
  - f. to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association
  - g. to provide and pay off any securities issued
  - h. to invest in a way the members of the association may from time to time decide.
3. For sub-section (2)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by -
  - a. the financial institution for the association; or
  - b. if there is more than 1 financial institution for the association - the financial institution nominated by the association.

## **SECTION 18 MEETINGS OF MANAGEMENT COMMITTEE**

1. Subject to subsections (2) to (16), the management committee may meet and conduct its proceedings as it considers appropriate.
2. The management committee must meet at least once every 2 months to exercise its functions.
3. The management committee must decide how a meeting is to be called.
4. The management committee is to ensure that meetings are conducted in a manner acceptable to all members, and giving all members the opportunity to be heard regarding any matter.
5. Notice of a meeting is to be given in the way decided by the committee – by telephone call or mail.
6. If the president or secretary receives a written request signed by at least 33% of the management committee members, the president must call a special meeting of the committee.
7. The minutes must be signed by the president and the secretary upon approval after reading.
8. A request for a special meeting must state-
  - a. why the special meeting is being called; and
  - b. the business to be conducted at the meeting.
8. At a management committee meeting, more than 50% of the members elected or appointed to the committee as at the close of the last general meeting of the members form a quorum.

9. A question arising at a committee meeting is to be decided by a majority vote of committee members present at the meeting and, if the votes are equal, the question is decided by the president, or if the president is unavailable, it is then decided in the negative.
10. A management committee member must not vote on a question about a contract or proposed contract with the association if the member has an interest in the contract or proposed contract, and if the member does vote the member's vote must not be counted.\*
11. The secretary must give each management committee member at least 14 days notice of a special meeting of the committee.
  - a. A notice of a special meeting must state- the day, time and place of the meeting; and
  - b. the business to be conducted at the meeting.
12. The president or, if there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the vice-president is to preside as chairperson at the meeting.
13. If the president and the vice-president are absent from a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.
14. If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called on the request of committee members, the meeting lapses.\*
15. If a quorum is not present within 30 minutes after the time fixed for a management committee meeting called other than on the request of committee members, the meeting is to be adjourned to-
  - a. the same day, time and place in the next week; or
  - b. a day, time and place decided by the committee.
16. If, at the adjourned meeting mentioned in subsection (15), a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.
17. To ensure the accuracy of the minutes recorded at a management committee meeting, the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy

## **SECTION 19 DELEGATION OF MANAGEMENT COMMITTEE POWERS**

1. The management committee may delegate the whole or part of its powers to a subcommittee consisting of the association members considered appropriate by the committee or to one member of the committee as required.
2. A subcommittee may only exercise delegated powers in the way the management committee decides.
3. A subcommittee may elect a chairperson of its meetings.
4. If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.

5. A subcommittee may meet and adjourn as it considers appropriate.
6. A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting.
7. A subcommittee must report its progress and decisions on a regular basis to the management committee.

## **SECTION 20      ACTS      NOT      AFFECTED      BY      DEFECTS      OR DISQUALIFICATIONS**

1. An act performed by the management committee, a subcommittee or a person acting as a member of the management committee is taken to have been validly performed.
2. Subsection (1) applies even if the act was performed when-
  - a. there was a defect in the appointment of a member of the management committee, subcommittee or person acting as a member of the management committee; or
  - b. a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

## **SECTION 21      RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING**

1. A written resolution signed by each member of the management committee for the time being entitled to receive notice of a committee meeting is as valid and effectual as if it had been passed at a committee 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 committee.
3. A resolution may also be passed if all members of the management committee have been contacted by telephone by the president and give a verbal vote or decision as to matters of concern.

## **SECTION 22      ANNUAL GENERAL MEETINGS**

1. Each annual general meeting must be held –
  1. once each year; and
  2. within 3 months after the end of the association's previous financial year.
2. Each annual general meeting must be announced in writing at least two weeks in advance, with members informed of the date, time and agenda.
3. All registered members entitled to vote, must be informed of the date and time of the annual general meeting, without exclusion

4. Members not entitled to vote at an annual general meeting include
  - a. Suspended members
  - b. Associate members under the age of 18
  - c. Honorary members
  - d. Un-financial members
  - e. Terminated members
5. The current president acts as chairman of the meeting until the current committee is required to stand down.
6. Once the current committee is stood down, a chairman is either selected or volunteered from the floor, to run the nominations and election of the next management committee.

## **SECTION 23 BUSINESS TO BE CONDUCTED AT AN ANNUAL GENERAL MEETING**

The following business must be conducted at each annual general meeting –

1. receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the association for the last financial year;
2. receiving the auditor's report on the financial affairs of the association for the last financial year;
3. presenting the audited statement to the meeting for adoption;
4. receiving a report of activities from the outgoing committee
5. standing down of the current management committee
6. accepting nominations for the next management committee
7. electing members of the next management committee;
8. appointing an auditor.
9. To ensure the accuracy of the minutes recorded at the annual general meeting, the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.
10. The meeting is conducted by-
  - a. the president is to preside as chairperson for the meeting until nomination and voting take place
  - b. the chairperson must conduct the meeting in a proper and orderly way; and
  - c. each report must be read by the author or nominated member of the current management committee
  - d. each member present and entitled to vote is entitled to 1 vote only and, if the votes are equal, the president or chairperson has a casting vote as well as a primary vote; and
  - e. a member is not entitled to vote at an annual general meeting if the member's annual subscription is in arrears at the date of the meeting, or if their membership is less than 3 months duration

- f. nominations may be in writing or taken from the floor, as decided by the management committee
- g. voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot; and
- h. if a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides; and
- i. the result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held; and
- j. the secretary must ensure the minute book for each annual general meeting is open for inspection at all reasonable times by any financial member who previously applies to the secretary for the inspection.

## **SECTION 24 SPECIAL GENERAL MEETING**

1. The secretary may only call a special general meeting by giving each member notice of the meeting up to 14 days after-
  - a. being directed to call the meeting by the management committee; or
  - b. being given a written request signed by-
    - i. at least 33% of the members of the association presently on the management committee; or
    - ii. at least the number of ordinary members of the association equal to double the number of members of the association presently on the management committee plus 1; or
  - c. being given a written notice of an intention to appeal against the decision of the management committee-
    - i. to reject an application for membership; or
    - ii. to terminate a person's membership
  - d. receiving verbal requests from members following matters of import or concern to the association
  - e. receiving notification of any actions or activities by members that are prejudicial or injurious to the association.
2. A request mentioned in subsection (1)(b) must state-
  - a. why the special general meeting is being called; and
  - b. the business to be conducted at the meeting.

## **SECTION 25 NOTICE OF GENERAL MEETING**

1. The secretary may call a general meeting of the association.
2. The secretary must give up to 14 days notice of the meeting to each association member.
3. The management committee may decide the way in which the notice must be given.
4. However, notice of the following meetings must be given in writing if possible-
  - a. a meeting called to hear and decide the appeal of a member against the rejection or termination of the member's membership by the management committee; or
  - b. a meeting called to hear and decide a proposed special resolution of the association.
5. Notice of a general meeting must state the business to be conducted at the meeting.

## SECTION 28 QUORUM FOR, AND ADJOURNMENT OF, GENERAL MEETING

1. Subject to subsection (5), at a general meeting the number of members equal to double the number of members of the association presently on the management committee plus 1 form a quorum. A management committee of nine people requires a quorum of nineteen members.
2. No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.
3. If a quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.
4. If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association, the meeting is to be adjourned to-
  - a. the same day, time and place in the next week; or
  - b. a day, time and place decided by the management committee.
5. If at an adjourned meeting, a quorum under subsection (1) is not present within 30 minutes after the time fixed for the meeting, the members present form a quorum.
6. The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
7. If a meeting is adjourned under subsection (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
8. The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
9. If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

## SECTION 29 PROCEDURE AT GENERAL MEETING

1. Subject to these rules, at each general meeting -
  - k. the president, vice-president, or an elected member is to preside as chairperson for the meeting.
  - l. the chairperson must conduct the meeting in a proper and orderly way; and
  - m. each question, matter or resolution must be decided by a majority of votes of the members present; and
  - n. each member present and entitled to vote is entitled to 1 vote only and, if the votes are equal, the president or chairperson has a casting vote as well as a primary vote; and
  - o. a member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting, or if their membership is less than 3 months duration; and
  - p. voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot; and



- q. if a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides; and
  - r. the result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held; and
  - s. the secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting and general meeting are entered in a minute book; and
  - t. the secretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any financial member who previously applies to the secretary for the inspection.
3. To ensure the accuracy of the minutes recorded under subsection (1)(i) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and

## SECTION 30 BY-LAWS

1. The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.
2. The president retains the right to cast a tie-break vote in any voting situation if required.
3. No member will be allowed to make decisions, cause publicity or act in a manner that is damaging to the ethics and objects of the association.
4. Members who persist in acting in a negative or damaging manner may have their membership terminated or suspended, and will not be eligible to participate in any c' ' ..
5. The management committee may provide association Certificates of A or Serbian language to members, visitors or relevant persons and organizations for actions or donations of import to the association, signed by the secretary and president, and affixed with the common seal, and bearing the associations logo.
6. All correspondence from the association must bear the association letterhead and logo, and be signed by a member of the management committee
7. Official documents must be stamped with the common seal, and signed by the president and the secretary of the association.
8. The management may appoint or employ a Manager for the complex, whose role will be to run the leasing, maintenance, catering, financial records, cleanliness and security of the complex.
9. The management committee must format and apply policies as relevant to the association, and
  - a. Review these at least every two years.
  - b. Policies are to be formulated by a delegated sub-committee, and submitted to the management committee for approval.
  - c. Ensure that all members and relevant organizations and groups are informed of any policy changes that affect the operation of the association.
  - d. Ensure that copies of the constitution and relevant policies are available to all members and interested parties.

## SECTION 31 ALTERATION OF RULES

1. Subject to the *Associations Incorporation Act 1981*, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.
2. However an amendment, repeal or addition is valid only if registered by the chief executive with the Department of Fair Trading.

## SECTION 32 COMMON SEAL

1. The management committee must ensure the association has a common seal, which is to be a round seal, with the name of the association and its incorporation registration number.
2. The common seal must be-
  - a. kept securely by the management committee; and
  - b. used only under the authority of the management committee.
3. Each instrument to which the seal is attached must be signed by -
  - c. The president and
  - d. The Secretary.

## SECTION 33 FUNDS AND ACCOUNTS

1. The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.
2. Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.
3. All amounts must be deposited in the financial institution account as soon as practicable after receipt.
4. If an amount of \$100 or more is paid by cheque, the cheque must be signed by any 2 of the following-
  - a. the president;
  - b. the treasurer;
  - c. the secretary
5. Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed 'not negotiable'.
6. A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.
7. All expenditure must be approved or ratified at a management committee meeting.

8. The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared –
  - a. the income and expenditure for the financial year just ended;
  - b. the association's assets and liabilities at the close of the year;
  - c. the mortgages, charges and securities affecting the property of the association at the close of the year.
9. The auditor must examine the statement prepared under subsection (8) and present a report about it to the accountant before the next annual general meeting following the financial year for which the audit was made.
10. The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

## **SECTION 34 DOCUMENTS**

1. The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association, and retain these for archival purposes.
2. The management committee must ensure that all correspondence in and out is archived.
3. The management committee must provide copies of relevant documents to legal organizations if requested to do so in legal matters, using the association letterhead, logo and common seal.

## **SECTION 35 FINANCIAL YEAR**

The financial year of the association closes on the 30<sup>th</sup> June in each year.

## **SECTION 36 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

This section applies only if the association-

- a. is wound-up under part 10 of the Act; and
  - b. it has surplus assets.
1. The surplus assets must not be distributed among the association members.
  2. The surplus assets will be given to -
    - a. The Serbian Orthodox Monastery 'Kalenich' in Canberra, ACT., which
    - b. Has objects similar to the association's objects; and
    - c. The rules of which prohibit the distribution of the entity's income and assets to its members.
  3. In this section - "surplus assets" has the meaning given by section 92(3)11 of the Act.

## POLICIES AND OTHER DOCUMENTS

### **THE ROLE OF THE MANAGER** – job description

The management committee may delegate or employ on a contract basis, a manager to run the complex .

The manager must -

1. Be responsible for the day to day leasing, subleasing and bookings as related to the premises of the association
2. Maintain contact with cultural, multicultural and social groups from the wider community, whose goals do not contradict those of the association
3. Maintain all relevant booking sheets, invoices, receipts, finances, security and other operations relating to the lease or sublease of the premises
4. Ensure the health and safety requirements of the premises are maintained to the Australian Health and Safety standards, and organize regular inspections and reports.
5. Coordinate catering and equipment for group bookings as required
6. Coordinate cleaning, maintenance and repairs as required.
7. Maintain close contact with the security company regarding out of hours and weekend use.

### **DRUG AND ALCOHOL POLICY**

1. The premises are to be maintained as drug-free, and any contravention of this policy is to be reported to the police.
2. The premises may be used for individual functions that request alcohol consumption, provided that a temporary liquor license has been issued and a copy provided to the manager.
3. The association encourages responsible alcohol consumption, and as such any person may be refused the service of alcohol if they are obviously drunk and disorderly, causing trouble and misusing the premises.
4. No alcohol is to be kept on the premises unless it is strictly regulated and kept locked away from casual sight.
5. No minor under the age of 18 is allowed to consume or obtain alcohol on these premises.
6. No minor under the age of 18 will be allowed to serve alcohol at any temporary or permanent licensed bar facility.
7. The person in charge of the bar must request identification if a person's age requires verification.
8. Alcohol consumption is to be limited to the room/s used and the immediate outdoor vicinity only.
9. No alcohol is to be removed from the premises during or following a function for personal consumption.
10. No BYO food or drinks are to be brought by visitors or members at functions, as a kitchen and bar will be available for each function.
11. Groups who lease the premises may provide their own refreshments, if no catering is requested, providing no selling of alcohol is involved.

## **EQUAL OPPORTUNITY POLICY**

1. Individuals are entitled to membership in the organization regardless of age or cultural background provided that their interests and conduct do not contradict the objects and policies of the association.
2. All members are entitled to nomination for the management committee after one year of membership, and relevant skills and abilities should be recognized and utilized by the committee.
3. All members have an equal standing within the association, with equal rights and opportunities for involvement.
4. All members and guests are to respect the rights and actions of individuals and groups using the complex.

## **GRIEVANCE POLICY**

Any member with a grievance relating to the association and its actions and activities must provide a written statement of their grievance to the secretary of the management committee and –

- a. Attend a committee meeting for the purpose of resolving their grievance
- b. Act in a manner that is not to create friction or discord
- c. Explain their grievance clearly and without prejudice
- d. Provide possible solutions or recommendations within association guidelines
- e. Listen to all discussion and debate in the matter without judgment or argument
- f. Must not take issues to a personal level, leaving club matters within the club
- g. Must accept the final resolution of the management committee and abide by it
- h. Must abide by the constitution and policies of the association

## **MEMBERSHIP POLICY**

Membership of the association must be comprised of at least a 75% majority of people of Serbian descent and their families in order that the cultural aspect of the association may not be compromised.

## **SMOKING POLICY**

The premises are air-conditioned and often used for catered functions, so there is a NO SMOKING policy in effect. Members and guests are required to use outdoor facilities and provided bins for smoking.

## **FACILITIES/HIRING POLICY**

1. The facilities of the association are comprised of five rooms, office space, communal kitchen and toilets.
2. Rooms 1 and 2 are available for casual and long-term hire by cultural groups and organizations.
3. Rooms 3 and 4 are leased on a long-term basis by a community training organization.
4. Room 5 is partially leased by Aboriginal and education groups, and also used as the association office space.
5. All rooms are protected by back-to-base security systems.
6. All rooms and facilities are wheelchair accessible.

7. All rooms are carpeted and air-conditioned.
8. Room hire is to be conducted by the Premises Manager, on relevant room hire application forms, depending on availability.
9. Groups who hire the premises are provided with booking confirmation and an invoice for the amount owing, with a 7 day limit for payment.
10. A set-up and pull-down service is provided for additional cost, or groups may set-up and pull-down their requirements themselves.
11. A TV/video, OHP, screens, extra chairs and benches are available free of charge.
12. No alcohol is to be consumed unless the hiring group has applied for and provided a copy of a temporary liquor license.
13. No smoking allowed by any group inside the buildings.
14. Cultural and community groups have priority in hiring of rooms.
15. Other activities and facilities provided for members may also be hired by groups, such as soccer field, bocce lawn, library, exhibition space, music, videos, etc. and will require booking with the manager.

## **MEDIA AND PUBLICITY POLICY**

The association may advertise, publicize and print material relevant to the objects and constitution of the association. The management committee may nominate a member or committee member to act in the role of Publicity and Media Coordinator and who may - \*

1. Maintain contact with newspapers, radio or television for the purposes of advertising or furthering club activities and resources
2. Contact possible sponsors for activities, plaques, trophies and prizes
3. Advertise fundraising activities
4. Coordinate fundraising prizes through donations from other organizations
5. Maintain contact with local council, funding bodies, cultural groups and other community groups
6. Publish an association newsletter for the benefit of all members and friends

## **OCCUPATIONAL HEALTH AND SAFETY POLICY**

The management committee is responsible for ensuring and maintaining the health and safety requirements of the premises and patrons at all times by -

1. Ensuring that premises are cleaned after every function or booking
2. Maintaining regular cleaning of windows, carpets and air conditioning, including repairs
3. Maintaining the hygiene of kitchen and toilets using appropriate disinfectants and sanitizers
4. Ensuring that any defects in pathways and flooring are promptly repaired.
5. Ensuring that all plumbing and electrical work are carried out and regularly checked by licensed personnel
6. Maintaining furniture and equipment at a suitable standard, providing repairs or replacement when necessary
7. Ensuring that any food provided on the premises is hygienically prepared and fresh
8. Retaining any alcohol held on the premises under lock and key and limiting access to same
9. Ensuring that soundproofing curtains and divider are well maintained

## PERFORMANCE REVIEW POLICY

1. The committee and members are responsible for the regular review of performance by any members in their nominated roles. This can be done at a management meeting or general meeting, or in private consultation with the relevant persons.
2. Decisions regarding performance review are to be made at a management committee meeting – either continuation in that capacity, warning or reprimand, or termination of their role.
3. A review of the management committee performance may be held at a general meeting or at the end of the annual general meeting of members.
4. Regular reviews can be reported to members through a newsletter or verbal statements at meetings.
5. Income budgeting review should be done on a regular basis to determine directions and goals of the association.

## PURCHASING POLICY

1. Any items to be purchased by the association must be approved by the management committee and carried out by nominated members or the treasurer.
2. If carried out by a nominated member, then a receipt must be provided to the treasurer for reimbursement, or allocated funds may be provided in advance, with receipts given to the treasurer for filing.
3. The Premises Manager may purchase items for the purpose of providing facilities and services for room hire without management committee approval, provided that all records are maintained, and reported at the next management committee meeting.
4. No member or guest may purchase goods or services through the association accounts for personal gain.

## VOLUNTEER POLICY

The association is run on a volunteer basis, with the option of paying a Premises Manager on a contract basis.

All volunteers –

1. Must abide by the association's constitution and by-laws
2. Must act in accordance with the management committee's agreement and direction.
3. Must be members of the association.