

**This Constitution is formulated on the regulations to the Associations
Incorporation Act 2009 (NSW)**

CONSTITUTION

November 2018

Hawkesbury Harmony Community Radio Association Incorporated

The name of this organisation shall be the “**HAWKESBURY HARMONY
COMMUNITY RADIO ASSOCIATION INCORPORATED** ” hereinafter called the
Association,

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Part 1 – Preliminary

1. Interpretation

In these rules except in so far as the context or subject matter otherwise indicates or requires,

ACMA refers to the Australian Communications and Media Authority

AGM refers to an annual general meeting of this Association

GM refers to a general meeting of members

SGM refers to a special meeting of the Association other than a GM or AGM

Gender reference to the male gender in this Constitution in respect to members is for simplification and applies to both male and female.

MC refers to the Management Committee of the Association

2HHCR refers to the Association

Office bearer refers to a member of the MC

Public Officer refers to a member of the MC

Resolution refers to any resolution or special resolution, which alters or adds to the approved Constitution and or by-laws of the Association

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

Ordinary committee member refers to a member who is not an office-bearer of the association.

Secretary refers to a member holding office under this Constitution as secretary of the association,

The Act refers to the Associations Incorporation Act 2009.

The Regulation refers to the Associations Incorporation Regulation 2010.

(2) Objects & Powers: The objects and powers of the Association shall be to:

- a. Organise and manage the affairs of the Association in accordance with the rules and regulations of the ACMA
- b. Uphold and maintain the ethical framework of the ACMA and its Codes, at all times
- c. Promote community radio within the Hawkesbury and surrounds
- d. Actively recruit, develop and train members to attain a high standard of performance
- e. Conduct workshops seminars and program training for the purposes of development and accreditation of members
- f. Provide feedback to members on performance
- g. Protect the welfare of members, potential members and other interested parties
- h. Maintain discipline of members and taking action as appropriate.
- i. Exercise powers of expulsion, suspension, fine caution reprimand or censure of members
- j. Impose penalties for breaches of the Constitution and by-laws and for any conduct prejudicial to the interests of the Association and its members
- k. Represent and mediate on behalf of members in any matter or dispute, arising from their membership of the Association
- l. The Association is a non-profit making organisation
- m. Do all such things as are conducive or incidental to the attainment of the above objects or any of them.

In this Constitution:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.
- (c) The provisions of the Interpretation Act 1987 apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.

Part 2 – Membership. Membership shall be open to all persons subscribing to the objects of the Association

2. Membership generally

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

- (a) the person is a natural person, and
- (b) any person desiring to become a member, shall complete and lodge an application together with the prescribed fees with the Secretary in the form set out in Appendix I of this Constitution.

Membership Approval; The Secretary on receipt of a membership application shall:

- (a) When considering an application for membership the Committee must be satisfied
 - (i) that the applicant is a person of good character
 - (ii) that by accepting the member will not jeopardise the Association's Community Broadcasting Licence
 - (iii) that by accepting the member will not conflict with Constitution its policies and codes of practice
- (b) Refer the application to the Screening Committee following which the applicant will be referred to the MC for acceptance and the next general meeting for approval;
- (c) Upon approval enter the applicant's name in the register of members.
- (d) as soon as practicable after such determination, notify the applicant in writing of approval or rejection,
 - (i) setting out the reasons the application was rejected

If after being notified of the rejection of the application, the applicant wishes to appeal against the decision, they must submit to the Secretary in writing, within fourteen days of the date of letter, their reply to the rejection and seek it be reviewed at the next MC meeting or seek to appear before the next MC meeting. If the MC meeting falls due less than seven days of the receipt of the letter by the Secretary it shall be reviewed either in writing or in person at the next MC meeting after that date.

3. Membership classification

For the purposes of these rules a member is classified as follows.

- (a) **Active Member.** An active member is any person who pays an annual subscription and subscribes to the rules, by laws and Constitution of the Association,
- (b) The person shall not have financial, personal or conflicting interest that affects their obligation as a member

(c) Non Active member is any person who is not financial and renewed his membership after 12 months, that member has no right to vote at the AGM. Or other meeting called by the MC

4. Cessation of membership

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

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the association, or
- (d) fails to pay the annual membership fee within ONE (1) month after the fee is due.

5. Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the association:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

6. Resignation of membership

- (1) A member of the association may resign from membership of the association by first giving to the secretary written notice of at least one month (or such other period as the MC may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of the association ceases to be a member and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7. Register of members

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

- (2) The register of members must be kept in New South Wales:
 - (a) at the main premises of the association, or
 - (b) if the association has no premises, at the association's official address.
- (3) The register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (4) A member of the association may obtain a copy of any part of the register on payment of a fee of not more than \$1 (One Dollar) for each page copied.
- (5) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- (6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
 - (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association, or
 - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

8. Fees and subscriptions

- (1) A member must pay an annual fee as determined annually by the MC and approved by the members at the AGM
- (2) Where a person becomes a member of Hawkesbury Harmony Community Radio Association Inc after the 1st April of the year of joining, the membership is for the period from the date of joining to 30th June of the following year.
- (3) The annual membership shall be paid on the account issued by the Treasurer at the end of the financial year so that a member is financial from the 1st of July in the year of issue to the 30th of June the following Year.
- (4) a lapsed membership may, after a period of 6 months re-join upon payment of the annual fee without payment in arrears

9. Members' liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required.

10. Resolution of disputes

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

11. Disciplining of members

- (1) A complaint may be made to the MC by any person that a member of the association:
 - (a) has refused or neglected to comply with a provision or provisions of this Constitution, or
 - (b) has wilfully acted in a manner prejudicial to the interests of the association.
- (2) The MC shall refer the complaint to a Grievance Committee to deal with the complaint.
- (3) the Grievance Committee
 - (a) must cause notice of the complaint to be served on the member(s) concerned, and
 - (b) must give the member(s) least 14 days from the time the notice is served within which to make submissions to the Grievance Committee in connection with the complaint, and
 - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) The Grievance Committee may, by resolution, refer the member be expelled from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- (5) If the Grievance Committee refers to expel or suspend a member(s) the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under these rules

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

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

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

12. Right of appeal of disciplined member

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

(2) The members' appeal notice must, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

(3) On receipt of a notice from a member the secretary must notify the MC which is to convene a general meeting of the association to be held within 45 days after the date on which the secretary received the notice.

(4) At a general meeting of the association convened for the purpose of the member(s) appeal

(a) no business other than the question of the appeal is to be transacted, and

(b) the Grievance Committee and the member (s) must be given the opportunity to state their respective cases orally or in writing, or both, and

(c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

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

Part 3 - The committee

13. Powers of the Management Committee

Subject to the Act, the Regulation and this Constitution and to any resolution passed by the association in general meeting, the MC

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all such functions as may be exercised by the association, other than those functions that are required by this Constitution to be exercised by a general meeting of members of the association, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

14. Composition and membership of Management Committee

(1) The MC is to consist of:

- (a) the office-bearers of the association, and
- (b) at least 3 other active members, each of whom is to be elected at the annual general meeting of the association

(2) The total number of committee members is to be 7.

(3) The office-bearers of the association are as follows:

- (a) the president,
- (b) the vice-president,
- (c) the treasurer,
- (d) the secretary.

(4) An MC member shall hold no more than one position and shall be elected at the AGM. Each MC member and delegate of sub-committees, must submit an annual written report to members to be attached to the AGM Notice of Meeting.

(5) Each member of the MC is, subject to this Constitution, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

(6) Executive office bearers shall be elected for a period of Two (2) years such that continuity is maintained. At the first AGM following acceptance of the Constitution, the President and Treasurer shall be elected for two (2) years. The Vice President

and Secretary shall be elected for one (1) year. At each anniversary the MC shall be elected for two (2) years

15. Election of committee members

- (1) Nominations of candidates for election as office-bearers or as sub-committee members:
 - (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and sub-committee members is to be conducted at the annual general meeting.
- (7) A member nominated as a candidate for election must be a member of the association for 12 months at the date nominations are called for election
- (8) The MC shall nominate a Returning Officer to conduct the elections.
This person shall not be a nominee for any position, or have any financial benefit from the Association

16. Secretary

- (1) The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the statutory authorities details of his or her address.
- (2) It is the duty of the secretary to keep minutes of:
 - (a) all appointments of office-bearers and members of the sub-committees, and
 - (b) the names of members present at an MC meeting or any GM SGM AGM
 - (c) all proceedings at meetings and general meetings.

(3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting. And distributed to all active members

17. Treasurer

It is the duty of the treasurer to ensure:

- (a) that all money due to the association is collected and received and that all payments authorised by the association are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.
- (c) the treasurer shall produce at each MC meeting, the current copy of the Association bank statement, to be endorsed by the chairman of the meeting.
- (d) The treasurer shall have the books and financials records of the Association audited each year by an auditor nominated by the MC and approved by members at an AGM
- (e) The Treasurer shall at the AGM produce an audited report for the information of the members.

18. Casual vacancies

(1) In the event of a casual vacancy occurring in the membership of the MC or Sub-committee, the MC may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this Constitution, until the conclusion of the annual general meeting next following the date of the appointment.

(a) in the event of two or more vacancies in the membership of the MC and sub-committee, for whatever reason, a meeting shall be called by the President or his/her deputy, to appoint officers/members to the MC or sub committee

These duly appointed members shall hold office until the conclusion of the AGM following their Election,

(2) A casual vacancy in the office of a member occurs if the member:

- a) dies, or
- (b) ceases to be a member of the association, or
- (c) becomes an insolvent under administration within the meaning of the Corporations Act 2001 of the Commonwealth, or

- (d) resigns office by notice in writing given to the secretary, or
- (e) is removed from office under these rules
- (f) becomes a mentally incapacitated person, or
- (g) is absent without the consent of a committee from 3 consecutive meetings of the committee, or
- (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
- (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth.

19. Removal of committee members

- (1) The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20. Committee meetings and quorum

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent

business.

- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:
 - (a) the president or, in the president's absence, the vice-president is to preside, or
 - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the committee as may be chosen by the members present at the meeting is to preside.
- (9) A minimum of 2 Staff meetings must take place in each calendar year

21. Delegation by committee to sub-committee

- (1) The committee may, by instrument in writing, delegate to one or more subcommittees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this clause, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the committee.

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

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

22. Voting and decisions

(1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.

(2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

(3) Subject to clause 20 (5), the committee may act despite any vacancy on the committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee

Part 4 - General meetings

23. Annual general meetings - holding of

The association must hold its annual general meeting in November each year.

24. Annual general meetings - calling of and business at

- (1) The annual general meeting of the association is, subject to the Act and to clause 23, to be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) to receive from the committee reports on the activities of the association during the last preceding financial year,
 - (c) to elect office-bearers of the association and ordinary committee members,
 - (d) to receive and consider any financial statement or report required to be submitted to members under the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

25. Special general meetings - calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting, and
 - (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after

that date.

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

26. Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 24 (2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

27. Quorum for general meetings

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this Constitution to vote is present during the time the meeting is considering that item.
- (2) Five members present (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved, and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) are to constitute a quorum.

28. Presiding member

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

29. Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

30. Making of decisions

- (1) A question arising at a general meeting of the association is to be determined by either:
 - (a) a show of hands, or
 - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

31. Special resolutions

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

32. Voting

- (1) On any question arising at a general meeting of the association a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid.
- (4) A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age.

33. Proxy votes not permitted

Proxy voting must not be undertaken at or in respect of a general meeting or a Annual General Meeting.

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

34. Postal ballots

- (1) The association may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 12).
- (2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

Part 5 - Miscellaneous

35. Insurance

The association may effect and maintain insurance.

36. Funds – source

(1) The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.

(2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.

(3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

37. Funds - management

(1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the committee determines.

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

38. Change of name, objects and Constitution

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

39. Custody of books etc

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

40. Inspection of books etc

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

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

(b) this Constitution,

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

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

41. Service of notices

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

(a) by delivering it to the person personally, or

(b) by sending it by pre-paid post to the address of the person, or

(c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

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

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

(b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and

(c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

42. Financial year

The financial year of the association is:

(a) the period of time commencing on the date of incorporation of the association and ending on the following 30 June, and

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

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

Appendix 1 Application for membership of association

(Clause 3 (1))

APPLICATION FOR MEMBERSHIP OF ASSOCIATION

Hawkesbury Harmony Community Radio Association Incorporated

Incorporated (incorporated under the Associations Incorporation Act 2009)

I,
[full name of applicant]

of
[address]

.....
[occupation]

hereby apply to become a member of the abovenamed incorporated association. In the event of my admission as a member, I agree to be bound by the Constitution of the association for the time being in force.

.....
Signature of applicant Date

I,
[full name]

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

.....
Signature of proposer Date

I,
[full name]

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

.....
Signature of seconder Date