

SUCCESS RESIDENTS ASSOCIATION

CONSTITUTION

DEFINITIONS:

Act: Refers to the WESTERN AUSTRALIAN ASSOCIATIONS INCORPORATIONS ACT 1987

Association: Refers to SUCCESS RESIDENTS ASSOCIATION INC as referred to in rule 1

Committee Members: As referred to in rule 8 paragraph a

Committee Meeting: As referred to in rule 17 paragraph a

General Meeting: As referred to in rule 17 paragraph b

Special General Meeting: As referred to in rule 17 paragraph c

Annual General Meeting: As referred to in rule 17 paragraph d

President: As referred to in rule 9

Vice President: As referred to in rule 9a

Secretary: As referred to in rule 10

Treasurer: As referred to in rule 11

Office Bearers: Are those who hold positions of the President, Vice President, Secretary and Treasurer.

Quorum: Shall be the number of members required to conduct business of the Association, as referred to in rule 14.

1. NAME

The name of this association is SUCCESS RESIDENTS ASSOCIATION INCORPORATED.
Hereinafter termed the Association.

2. OBJECTIVES

To do those things necessary to improve the quality of life in Success and its environs by:

- a) Encouraging community participation in maintaining existing facilities and obtaining new community facilities for the people of this area.
- b) Providing an organised channel of communication between the people of Success, interested parties, the Cockburn City Council and other Government and non-Government agencies.

- c) Stimulation the multiple uses of existing and neighbouring facilities in cooperation with schools and community groups.
- d) To encourage a safer and environmentally friendly lifestyle for the community.

The property and income of the Association shall be applied solely towards the promotion of the objectives of the Association and no part of that property or income may be paid or otherwise distributed directly or indirectly to members of the Association except in good faith in the promotion of the above.

3. MEMBERSHIP

The Association may admit to membership all rate payers or residents of Success and environs aged 16 years and over. Each membership will be entitled to one vote only.

4. REGISTER OF MEMBERS OF THE ASSOCIATION

The treasurer shall on behalf of the Association keep and maintain the register of members in accordance with the Act and that register shall be so kept and maintained at his or her place of residence. The treasurer shall delete from the register of members and person who dies or ceases to be a member.

5. FEES FOR MEMBERS OF THE ASSOCIATION

There shall be an annual fee for membership.

- a. The membership fee will normally be set at the Annual General Meeting (AGM).
- b. The financial year shall commence on the 1st July each years and membership fees shall become due and payable from the date of the AGM or such other date as the committee from time to time determines.
- c. Subject to sub rule (4) a member whose fees are not paid within 3 months after the relevant date fixed by or under subclause (2) ceases on the expiry of that period to be a member unless the Committee decides otherwise.
- d. A member is a financial member for the purposes of these rules if his or her fees are paid on or before the relevant date fixed by or under sub rule (2) or within 3 months thereafter. Members who have been un-financial for 3 months shall not have the power to vote.

6. OFFICERS

The officers of the Association shall consist of a President, Vice President, Treasurer, Secretary and 3 Committee Members.

7. POWERS OF THE ASSOCIATION

The Association has the power to do all such things as are necessary, incidental or conducive to the attainment of the objectives of the Association.

8. POWERS OF THE COMMITTEE

- a) The whole of the business and affairs of the Association shall be under the management and control of a Committee consisting of the President, Vice President, Treasurer, Secretary and 3 Committee Members.
- b) The Committee may at any time establish a Sub-Committee which may include any member to investigate, plan and report on any matter or subject as required.
- c) The Sub-Committee shall be governed by the same rules and will act in the same manner as the Association but will be required to submit all decisions and recommendations to the Committee for ratification before any action may be undertaken.

9. DUTIES OF THE PRESIDENT

The President shall:

- a) Encourage other Committee member to attend meetings.
- b) Be a signatory to cheques.
- c) Have a casting vote.
- d) Make sure meeting are run in accordance with the Rules of the Association.
- e) Act as a spokesperson for the Association.
- f) Note motion and amendments (with the Secretary) and put these to the meeting to vote on.
- g) Lead the meeting through the agenda, keeping discussion relevant and decision making clear and encouraging broad participation.
- h) In conjunction with the Secretary, prepare agendas as required by the Association.
- i) Will prepare an Annual Report to be presented at the AGM.

10. DUTIES OF THE VICE PRESIDENT

To attend to all duties of the President in section 9 if and only when the President is absent.

11. DUTIES OF THE SECRETARY

The Secretary shall:

- a) Make sure that accurate minutes are taken of the monthly Committee meeting and any other meetings of the Association.
- b) Make sure that all copies of the minutes are distributed to members.
- c) Work with the President to note motions and amendments to be voted on in meetings.
- d) Make sure that a list of correspondence received and sent is available at each monthly Committee meeting and that correspondence requiring action by the Committee is brought to the Committee's attention.
- e) Make sure that Correspondence is properly filed and up to date and is available for members to examine.
- f) Be a signatory to cheques.
- g) In conjunction with the President, prepare agendas as required by the Association.

12. DUTIES OF THE TREASURER

The Treasurer shall:

- a) Present a monthly Treasurers report to Committee Meetings.
- b) Keep a register of members.
- c) Make sure that all financial records are kept in order.
- d) Make sure that the management requirements of the funding bodies are met.
- e) Prepare and monitor the yearly budget for the Committee.
- f) Ensure that an annual audit is prepared for the year.
- g) Be a signatory on cheques.

13. ELECTION OF THE COMMITTEE MEMBERS

The Committee will be elected at the Annual General Meeting. Only financial members (see subrule5) will have a vote.

The Committee may co-opt persons as required and these ex-officio persons may not be entitled to voting rights.

During the election or re-election of the Committee members, consent to nomination must be in person or in writing.

14. CASUAL VACANCIES IN MEMBERSHIP COMMITTEE

A casual vacancy occurs in the office of a Committee member and that office becomes vacant if the Committee member;

- a) Dies.
- b) Resigns by notice in writing to the President.
- c) Is convicted of an offence under the Act.
- d) Is permanently incapacitated by mental or physical ill health.
- e) Is absent from more than 3 consecutive Committee meetings, or 3 Committee meetings in the same financial year without tendering an apology to the person presiding at each pf those Committee meetings.
- f) Ceases to be a member of the Association.

Casual vacancies on the Committee may be filled at the next general meeting. Those elected shall serve until the next Annual General Meeting.

15. QUORUM

No business shall be transacted by a General, Annual or Special General Meeting unless a quorum of members is present at the time when the meeting proceeds to its business. A q2uorum for the purpose of voting on a motion shall be at least 5 Committee members including at least one Office Bearer.

16. VOTING

Voting shall be in accordance with the rules of the Association as referred to in subclause 20b.

17. MEETINGS

- a) COMMITTEE MEETINGS: Are open to all Committee members and invited guests.

A quorum at a Committee meeting shall be 5 members of the Committee and shall include at least one Office Bearer.

The Committee shall meet at the discretion of the Office Bearers to transact all business of the Association this in its discretion require immediate attention, but shall submit the same to the next general meeting of the Association for confirmation or otherwise.

The President or two members of the Committee shall have the power to call a meeting of the Committee.

- b) GENERAL MEETINGS: Are open to all members, invited guests and interested parties.

A quorum at a General Meeting for the purpose of voting on a motion shall be 5 members of the Committee including at least one Office Bearer. General meetings shall be called by the Committee.

- c) SPECIAL GENERAL MEETINGS: Are open to all members, invited guests and interested parties. A quorum at a Special General Meeting for the purpose of voting on a motion shall be 5 members of the Committee including at least one Office Bearer.

A Special General Meeting may be called to discuss any special matters which arise. The Committee shall call a Special General Meeting at the request of the President of 4 other Committee Members or 6 General Members.

The Special General Meeting shall deal on with the matter/s for which the meeting was called.

- d) ANNUAL GENERAL MEETINGS: Are open to all members, invited guests and interested parties. A quorum at a general meeting for the purpose of voting on a motion shall be 5 members of the Committee including at least one Office Bearer.
- e) An Annual General Meeting will be held within every 12 month period thereafter. It will include;

- The Presidents Report.
- The Treasurers Report.
- The audited financial statement.
- The election or re-election of the President, Vice President, Secretary and Treasurer.
- The appointment of an Auditor not being a member of the Association.
- The setting of membership fees for the following year.
- The setting of a date for the next Annual General Meeting.

18. FUNDS

Cheques are to be signed by any 2 Office Bearers.

The income and property of the Association shall be applied solely towards the promotion of the objects of the Association. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the members of the Association, provided that nothing shall prevent the payment in good faith or remuneration of any Officer or employee of the Association of top any good person other than a member in turn for services rendered to the Association in accordance with this Constitution. Notwithstanding anything else in this section no salary shall be paid to any Officer or Committee member of the Association without the approval of a General meeting of the Association.

19. AUDITED ACCOUNTS AND RECORDS

The members by a majority vote shall appoint an Auditor not being a member of the Association, at the Annual General Meeting who shall audit the accounts and records of the Association annually and the Treasurer shall present to the Annual General Meeting a report as to the financial position of the Association.

20. RULES OF THE ASSOCIATION

The Association may alter or rescind these rules, or make additional rules in accordance with the procedure set out in the Act.

The Committee may establish rule when deemed necessary. These rules shall not override any rule contained in the Constitution. Such rules shall be created by a majority vote and shall be contained within a rule of schedule.

21. COMMON SEAL AND SEAL HOLDERS

The common seal of the Association engraved with the name of the Association shall be kept in the care of the Secretary. The seal shall not be used or affixed to any deed or other document except pursuant to a resolution of the Committee and in the presence of the President and the Secretary or Treasurer of the Association, both of whom shall subscribe their names as witnesses.

22. INSPECTION OF RECORDS ETC. OF THE ASSOCIATION

A financial member in the presence of an Office Bearer, may at any reasonable time, inspect without charge the books, documents, record and securities of the Association.

23. SUSPENSION OF MEMBERS

A quorum of members at a Committee, General or Special General Meeting shall have the power to expel or suspend any member deemed to be in breach of the Constitution or rules, or to be considered acting against the interests of the Association.

24. DISSOLUTION

If upon the winding up or dissolution of the Association there remains after satisfaction of all its debt and liabilities any property whatsoever, the same shall not be paid or distributed among the members but shall be given or transferred ;

- a) To another Association incorporated under the Act with similar objectives to those of the Association; or
- b) For charitable purposes.

By resolution of a quorum of members and in accordance with the Act.

25. EFFECT

The Constitution having been duly passed and adopted by a General meeting of the Association is to be for all purposes the Constitution of the Association.