

# **SISTERS BEACH COMMUNITY ASSOCIATION**

## **CONSTITUTION**

### **Article 1**

#### **Name:**

**The name of this association shall be the Sisters Beach Community Association.**

### **Article 2**

#### **Objectives:**

**The objectives of this association shall be:**

- 2.1 To promote community awareness on local issues and encourage participation.**
- 2.2 To provide the community a suitable forum through which their ideas can be aired, discussed and implemented.**
- 2.3 To provide a mechanism capable of liaising with local and state statutory bodies on matters pertaining to the enhancement of the local area.**

### **Article 3**

#### **3.1**

#### **Membership**

- 3.1 "community members" means:**
  - 3.1.1 rate payers and other permanent residents of Sisters Beach, those who live on Irby Road, at Banksia Park and at Lake Llewellyn; and**
  - 3.1.2 other interested persons approved by the executive committee.**

**3.2** Membership shall be open to all community members of electoral age who have agreed to accept the above objectives.

**3.3** A community member shall be eligible to be a member of the association on payment of the annual subscription prescribed in, or fixed under these rules.

**3.4** Expulsion

**3.4.1** Subject to this rule, the executive committee may expel a member from the association if, in the opinion of the executive committee, the member has been guilty of conduct detrimental to the interests of the association.

**3.4.2** The expulsion of a member pursuant to sub-rule 3.4.1 of this rule does not take effect:-

**3.4.2.1** until expiration of fourteen days after the service on the member of a notice under sub-rule 3.4.3 of the rule; or

**3.4.2.2** if the member exercises his right of appeal under this rule, until the conclusion of the special general meeting convened to hear the appeal.

**3.4.3** Where the executive committee expels a member from the association, the secretary of the association shall, without undue delay, cause to be served on the member a notice in writing:

**3.4.3.1** stating that the executive committee has expelled the member;

**3.4.3.2** specifying the grounds for the expulsion; and

**3.4.3.3** informing the member that if he so desires he may, within fourteen days after the service of the notice on him, appeal against the expulsion as provided in this rule.

**3.4.4** A member on whom a notice under sub-rule 3.4.3 of this rule is served may appeal against the expulsion to a special general meeting by delivering or sending by post to the secretary of the association, within fourteen days after the service of that notice, a requisition in writing demanding the convening of such a meeting for the purpose of hearing his or her appeal.

- 3.4.5** Upon receipt of a requisition under sub-rule 3.4.3 of this rule, the Secretary shall forthwith notify the executive committee of its receipt and the executive committee shall thereupon cause a special general meeting of members to be held within twenty-one days after the date on which the requisition is received by the Secretary.
- 3.4.6** At a special general meeting convened for the purpose of this rule:-
- 3.4.6.1** No business other than the question of the expulsion shall be transacted;
  - 3.4.6.2** the executive committee may place before the meeting details of the grounds of the expulsion and the executive committee's reasons for the expulsion;
  - 3.4.6.3** the expelled member shall be given an opportunity to be heard; and
  - 3.4.6.4** the members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed.
- 3.4.7** If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion, the expulsion shall be deemed to have been lifted and the expelled member is entitled to continue his membership of the association.
- 3.4.8** If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion, the expulsion takes effect, and the expelled member ceases to be a member of the association.

## **Article 4**

### **Management**

- 4.1** Management of the association shall be vested in the members in general meeting.
- 4.2** The office bearers of the association shall be the Chairperson, Vice Chairperson, Secretary, Treasurer, Assistant Secretary together with two members who shall constitute the executive

committee of the association.

- 4.3 The Chairperson, or in his or her absence, the Vice Chairperson, shall chair all meetings. In the absence of the Chairperson and the Vice Chairperson, or at the request of the Chairperson or Vice Chairperson or of the majority of the meeting, another member may be elected as the meeting Chairperson.
- 4.4 The Chairperson and the Secretary shall prepare the agenda for meetings.
- 4.5 The Chairperson shall encourage full balanced participation in meetings by all members; shall encourage consensus decision making where possible, and shall decide on matters of order.
- 4.6 The Chairperson and the Secretary shall act as spokespersons for the association, unless an alternative spokesperson has been appointed by the General Meeting. The spokesperson may make statements in accordance with previously agreed policy, or, in an emergency, following consultation with at least one office bearer and one member.
- 4.7 The Secretary shall give notice of meetings in accordance with provision of this constitution.
- 4.8 The Secretary shall cause records to be kept of the association, including the constitution and policies, a register of minutes of meetings and of notices, a file of correspondence, and records of submissions or reports made by or on behalf of the association.
- 4.9 In the absence of the Secretary, or at the request of the Secretary or a majority of the meeting, the Assistant Secretary shall take over the duties of the Secretary. In the absence of the Assistant Secretary as well, another member may be elected as Secretary for that meeting.
- 4.10 The Treasurer shall cause monies to be paid into an account authorised by and in the name of the association. All payments shall be by cheque, signed by two signatories. The Treasurer shall maintain an up-to-date record of members.
- 4.11 The Treasurer shall cause records to be kept of all receipts and payments and other financial transactions, which records shall be available for inspection by any member, subject to 14 days written notice.

## **Article 5**

### **Meetings**

- 5.1** The association shall hold **General Meetings and special meetings** for all members at a place and time approved by the executive committee. Not less than six meetings a year must be held.
- 5.2** Not less than seven days written notice of meetings shall be displayed at the general store on the special glass-fronted notice board belonging to the association, which is situated on the outside wall next to the door.
- 5.3** Special meetings may be called by the petition of any five members and must specify the business to be conducted at the meeting.
- 5.4** The Annual General Meeting shall be held at least once in each calendar year and not more than three months after the close of the financial year.
- 5.5** The business of the Annual General Meeting shall be:-
- 5.5.1** To confirm the minutes of the preceding Annual General Meeting.
  - 5.5.2** To receive the Chairperson's report for the previous financial year.
  - 5.5.3** To receive the Treasurer's report of the previous financial year.
  - 5.5.4** To elect:
    - 5.5.4.1** the office bearers; and
    - 5.5.4.2** two members.who must all consent in person - to be the executive committee.
  - 5.5.5** To conduct any other business placed on the agenda before the commencement of the meeting.

- 5.6** A person or persons may be ejected from a meeting for good cause by a majority vote of members present at that meeting.

## **Article 6**

### **Amendment**

- 6.1** Amendments shall be by a 70% vote of members present. Notice of the amendment sought shall:

- 6.1.1** be given at the meeting preceding the meeting at which the amendment is sought; or
- 6.1.2** by petition under Article 5.3.

### **Term of Office Bearers**

- 6.2** Office Bearers shall:

- 6.2.1** Be elected at the Annual General Meeting.
- 6.2.2** Be nominated from the floor.
- 6.2.3** Be elected by majority vote.
- 6.2.4** Hold office until the next Annual General Meeting.

- 6.3** If an Office Bearer resigns or misses three consecutive general meetings without due cause, he or she may be replaced by majority vote at a general meeting.

- 6.4** The annual subscription will cover all members of the one household and shall be determined as follows:

- 6.4.1** The annual subscription shall be determined by the Committee at each Annual General Meeting.
- 6.4.2** Then as approved from time to time at a general meeting.

## **Committees**

- 6.5** The members hall have the right to appoint sub-committees when necessary, and these shall be nominated from the floor and elected by majority vote of the members present. These sub-committees are selected for the particular purpose for which they were elected only, and to report back to the General Meeting for ratification before any action is taken by any member. These are their only duties.
- 6.6** Seven members shall be a quorum. In the absence of a quorum no meeting can be held.

### **6.7 Voting**

The association shall reach decisions by consensus where possible, but where consensus cannot be reached, then voting shall be by a show hands. The Chairperson shall have a casting vote if votes are equal. A division may be requested by a voting member, this division being recorded in the minutes.

**6.7.1** Where deemed necessary by the Chairperson.

**6.7.2** If a member is unable to attend a meeting he or she may, in writing, give his or her proxy vote to the Chairperson.