



**Zimbabwe Community
of
South Australia
(ZICOSA)**



Constitution

**March
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CONSTITUTION AND RULES

Chapter 1: PREAMBLE

1.1 Name

The Association shall be known as **Zimbabwe Community of South Australia (ZICOSA)**. The Association is and shall remain a non-political and non-sectarian organization.

1.2 Financial Year

The financial year of the Association shall be from the 1st of July to the 30th of June of the following year.

1.3 Definitions

- i. In these rules, unless a contrary intention appears, “Zimbabwean” means anyone who falls into at least one of the following categories:
 - (a) Birth
 - 1) was born in Zimbabwe;
 - 2) at least one of whose parents was born in Zimbabwe.
 - (b) Nationality
 - 1) is or was a national of Zimbabwe;
 - 2) at least one of whose parents is or was a national of Zimbabwe.
 - (c) Residence - is or was a permanent resident of Zimbabwe.
 - (d) Descent - is a descendant of a person belonging to any race in Zimbabwe.
 - (e) Marriage/Spouse - Chooses to be a person of Zimbabwean heritage because he/she is or was a spouse of a person belonging to categories (a), (b), (c) or (d) above.
 - (f) Adoptive parents/children - Chooses to be a person of Zimbabwean heritage because he/she is or was the adoptive parent or child of a person belonging to categories (a), (b), (c) or (d) above.
- ii. “Member” means a member who has paid all his/her fees and subscriptions as prescribed by the Zimbabwe Community of South Australia Committee annually;
- iii. “Committee” means the Executive Committee of the Association;
- iv. “Special General Meeting” means a general meeting of the organization other than an annual general meeting;
- v. “Umbrella Organization” means the Zimbabwe Community of South Australia;
- vi. “A term” is defined as 24 calendar months starting on the day elections are carried out;

- vii. “ZICOSA” means Zimbabwe Community of South Australia;
- viii. “Executive member” is a person who has been duly elected according to this constitution. An Executive member shall not contest for more than one position of the Committee at any given time;
- ix. ‘The Act’ means the Associations Incorporation Act 1985.

Chapter 2: MISSION, OBJECTIVES, PURPOSES AND PRINCIPLES PURPOSES

2.1 Purpose

2.1.1 The purposes of the Association are:

1. To provide members a forum for cooperative action and consensus building to promote unity, family support and opportunities.

2.2 Objectives

1. Promoting a positive Zimbabwean identity, and the development of Zimbabwean knowledge to our community and the Australian public.
2. To support community members upon bereavement.
3. To facilitate, establish and improve communication within our community, and other communities including federal, state, and local government organizations, and other bodies.
4. To represent our community to other communities and government bodies, including joining with them, to achieve mutual goals.
5. To lobby all levels of government in South Australia on issues which concern the welfare of Zimbabweans residing in South Australia.
6. To coordinate with the Zimbabwean embassy on mobile registrations, passports, births and deaths certificates and maintenance of a register of Zimbabweans in South Australia.
7. To create links between the Association and people of Zimbabwe who visit South Australia and vis versa.
8. To achieve these objectives by organizing social functions and other events.
9. To co-operate with other similar Associations in other States.
10. To co-operate actively with and support other multicultural groups and organizations.
11. To encourage greater participation in the development of a multi-cultural society in South Australia.

2.3 Principles

In pursuit of the Purposes stated in Section 2.1, the Association and its Members shall act in accordance with the following Principles:

1. Non-interference in the political, religious and other beliefs held by Members of the Association
2. Mutual respect
3. Solidarity, friendship and charity
4. Non-discrimination and equality

Chapter 3: POWERS OF THE ASSOCIATION:

- 3.1 To open and operate bank accounts for the Association;
- 3.2 To invest its money –
 - (i) in any security in which trust moneys may be invested; or
 - (ii) in any other manner authorised by the rules of the Association;
- 3.3 To borrow money upon such terms and conditions as the Association thinks fit;
- 3.4 To give such security for the discharge of liabilities incurred by the Association as the Association thinks fit;
- 3.5 To appoint agents and employees to transact any business of the Association on its behalf for reward or otherwise;
- 3.6 To build construct erect maintain alter and repair any premises building or other structure of any kind and to furnish equip and improve the same for use by the Association;
- 3.7 Accept donations and gifts in accordance with the objects of the Association;
- 3.8 Print and publish any information by any media including newsletters, newspapers, articles or leaflets for promotion of the Association;
- 3.9 Provide gifts and prizes in accordance with the objects of the Association;
- 3.10 Organise events for Members and the promotion of the Association; and
- 3.11 To enter into any other contract the Association considers necessary or desirable.

Chapter 4: MEMBERSHIP

4.1 Eligibility

- i. Membership of the Association is open to Zimbabweans, as defined by Section 1.3 i. of this Constitution, who are:
 - (a) State based Zimbabweans residing in South Australia;
 - (b) Individuals who do not belong to any of the above mentioned classes but who have a genuine interest in Zimbabwe and the people of Zimbabwe and Zimbabwean South Australians and who are sponsored by at least three other members and whose membership application is approved by the Committee Chairperson and Secretary.

4.2 Subscription Fees

- i. The subscription fees for membership shall be such a sum (if any) as shall be decided by the full Committee and agreed by majority of members.
- ii. The subscription shall be due and payable on the first day of July in each year or such other date set by the Committee.
- iii. Any member whose subscription has not been paid within ninety (90) days from the first day of July or other such date as determined by the Committee, shall be notified in writing by the Committee that unless the arrears are paid within sixty (60) days of the date of the notice will cease to be a member of the Association, and shall forfeit all rights and claims upon the Association or its property.
- iv. Any person who has ceased to be a member and makes application to rejoin the Association at a later date may have his or her membership reinstated by the Committee after payment of any outstanding contributions.

4.3 Membership Conditions

- i. Membership implies the acceptance of and compliance with the provisions of this Constitution and the payment of membership fees as determined in this Constitution. Only paid up members are eligible to vote at meetings of the Association.
- ii. Application for membership shall be made to the Committee by completion of prescribed application forms. Applications shall be considered by the Committee in accordance with the merits of the applicant in complying with the objectives of the Association. Successful applicants shall become full members upon Committee approval.

- iii. An organization or individual application if rejected may apply to the Committee to bring the question of admission for reconsideration, whose decision shall be final.

4.4 Suspension or Termination Of Membership

- i. Membership of an individual can be terminated by the Committee for any of the following reasons:
 - (a) Conduct considered by the Executive Committee to be detrimental or harmful to the objectives and/or image of the Association;
 - (b) Non-compliance with the terms and requirements of the Constitution;
 - (c) Non-payment of membership fees for a continuous period in excess of two years. Rights shall be restored upon payment of the membership fee.
 - (d) Provided that the Disciplinary Committee shall afford reasonable opportunity to the individual to attend before it and make any representation or answer to the matters under consideration by the Committee before any decision is made on the termination of membership.
- ii. Where membership is terminated, written notice of the termination shall be given to the individual. The notice shall also inform the member of the right to request a review of the Committee's decision by request to the Chairperson of the Committee within 28 days of the sending of the notice. The decision of the Committee on any review shall be final, but the Member shall be given an opportunity to make any representations to the Committee before a decision is made.
- iii. A member of the Association who violates the principles contained in this Constitution may be expelled from the Association by the Committee, following the recommendations of the Disciplinary Committee.
- iv. The Committee, upon the recommendation of the Disciplinary Committee may suspend a member of the Association.

4.5 Classes of Membership

- i. The classes of membership shall be:
 - (a) Associate Membership given to related Association members and recognized community members of Zimbabwean heritage.
 - (b) Ordinary Membership given to Zimbabwean South Australians in accordance with this constitution.
 - (c) Friends' Membership given to individuals who have a genuine interest in the affairs of the Association and are of Zimbabwean heritage.

(d) Honorary Membership conferred on persons nominated and appointed by a majority of the Executive Committee for outstanding service to the Association.

Chapter 5: RIGHTS AND DUTIES OF MEMBERS

- i. All Members shall be equal.
- ii. Each Member pledges to abide by the principles detailed in the present Constitution.
- iii. Each member pledges to make the following undertakings:
 - (a) To respect the exclusivity of the responsibilities of officers of the association and not seek to influence them in the discharge of their duties in such a way that might deem them as contravening the principles of office.
- iv. The Association shall accomplish its purposes through the following principal organs:
 - (a) The Executive Committee
 - (b) The Disciplinary Committee
- v. Such subsidiary organs as may be deemed necessary may be established in future in accordance with the present Constitution.
- vi. The Association shall place no gender restriction on the eligibility of men and women to participate in any capacity.

Chapter 6: THE EXECUTIVE COMMITTEE COMPOSITION

6.1 Composition

- i. The Executive Committee shall consist of representatives elected by the Association's paid up (as per Section 3.2 i)) members and its composition shall be include:
 - (a) Chairperson
 - (b) Vice Chairperson (Urban)
 - (c) Committee Member (Rural) herein also referred to as Country.
 - (d) Secretary
 - (e) Vice Secretary
 - (f) Treasurer
 - (g) Fund raising Coordinator
 - (h) Events Coordinator
 - (i) Youth coordinator
 - (j) Women's Affairs Coordinator
 - (k) Country Coordinator
 - (l) Past Immediate Chairperson

6.2 Functions and Powers

- i. The Executive Committee may discuss any questions or any matters within the scope of the present Constitution or relating to the powers and functions of any organs of the Association provided for in the present Constitution or any other subsidiary organs which may, from time to time, come into existence.
- ii. While the Disciplinary Committee is exercising the functions assigned to it in the present Constitution, the Executive Committee shall not make any recommendation regarding the dispute or situation unless the Disciplinary Committee so requests.
- iii. The Executive Committee shall make recommendations in pursuance of the Principles and Purposes of this present Constitution.
- iv. The Executive Committee shall receive and consider annual and special reports from all organs of the Association.
- v. The Executive Committee shall consider and approve the budget of the Community and of the organs of the Association.
 - (a) The Executive Committee may recommend fund-raising activities for the Association. The Executive Committee shall approve fund raising activities.
 - (b) The Executive Committee shall be responsible for formulating and ensuring, through appropriate means, the implementation of policies of the Association.

6.3 Manner and Terms of Appointment: Delegates to Annual General Meeting

All members of the Association are invited to the annual general meeting where matters of the community will be discussed and new officers elected

6.4 Manner and Terms of Appointment: Executive Members

- i. The paid up Association members shall elect the Committee for a two year term.
- ii. A person holding the office of Chairperson of the Executive Committee for two terms (consecutive or not) shall, on completion of every second term of office be eligible to reapply for the position after three years has elapsed. The outgoing Chairperson shall serve the committee, as Past Immediate Chairperson of the Association.
- iii. Nominations for Association office holders shall be made in writing by a proposer and seconder both of whom shall be paid up members of the Association and endorsed with the consent of the nominee.
- iv. All other executive members shall serve a maximum of two terms in office and will not contest the same position after the expiry of their term unless the position, as determined by the full Executive Committee, is so crucial that no person would be able to carry on the skilled responsibilities. A retiring Executive member shall be eligible for re-election of the same position after two years have elapsed
- v. The office holders shall be elected by secret ballot or other means found suitable by the committee and agreed to by members, such means could be electronic voting. Elections shall be conducted under the direction of the Returning Officer elected by the Executive Committee, unless there is only one nominee for a particular vacancy, in which case the Returning Officer shall declare such nominee duly elected for the position. The paramount consideration in the selection of officers of the Executive Committee shall be the necessity of securing the highest standards of efficiency, competence and integrity of the Association. Due regard shall be paid to the importance of selecting officers of the Executive Committee to ensure a broad representation of members' needs.
- vi. Notice of all persons seeking election to the Committee shall be given to all members of the Association with the notice calling the meeting at which the election is to take place.
- vii. The Committee may appoint a person to fill a casual vacancy, and such a Committee member shall hold office until the next annual general meeting of the Association and shall be eligible for election to the Committee without nomination.

6.5 Voting

- i. Each Member of the Executive Committee shall have one vote.
- ii. Decisions of the Executive Committee on important matters/questions shall be made by a two-thirds (2/3) majority of the members present and voting. The matters/questions shall include:
 - (a) Recommendations in respect of the welfare of all members of the Association;
 - (b) The election of Members to the organs of the Association;
 - (c) The admission of new members to the Association;
 - (d) The suspension of the rights and privileges of membership;
 - (e) The expulsion of Members;
 - (f) Budgetary questions;
 - (g) Policy formulation
- iii. Decisions on other questions including the determination of questions to be decided by two-thirds majority shall be made by a majority of the members present and voting.
- iv. A member of the Association who is in arrears in the payment of his/her contributions shall have no vote in the Executive Committee. The Executive Committee may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to circumstances beyond the control of the Member.

6.6 Executive Committee

- i. The Committee shall meet in regular quarterly sessions and in any special sessions as occasion may require. Special sessions may be called by the Secretary of the Committee at the request of the Committee or of a majority of the members of the Association.
- ii. The Committee can redefine the duties and responsibilities of the executive committee from time to time
- iii. The Committee shall be so organized as to be able to function continuously so as to be able to deal with urgent matters.

6.7 Functions and Powers

- i. The Committee shall be responsible to the Annual General meeting and shall be entrusted with the management of the association.
- ii. It shall be entrusted with the responsibility of promoting and achieving the Purposes of the Association as laid down in this Constitution.
- iii. It shall be responsible for the implementation of policies of the Association as determined by the Committee.
- iv. The functions of each member of the Committee shall be governed by the Constitution of the Association.
- v. The Committee may bring to the attention of the Annual General Meeting any matter, which in its opinion may affect the community beneficially or otherwise.

- vi. Secretary of the Committee shall at all times communicate with the Committee on any matters which need to be dealt with by the latter.
- vii. The Committee may refer any matter within its jurisdiction to the Disciplinary Committee for its consideration.
- viii. The Committee shall be accountable to the Annual General Meeting on all matters, including financial matters.

6.8 Suspension from the Position: Executive Committee

- i. A Committee member may be suspended from a Committee position, following recommendations of the Disciplinary Committee, by a two-thirds majority vote of the Committee on any of the following grounds:
 - (a) Failing to carry out the duties of the position to a standard prescribed by the rules of the Association;
 - (b) Conduct considered by the Committee to be detrimental or harmful to the objectives and/or image of the Association; or
 - (c) Failure to attend three consecutive meetings of the Committee in a period of 12 months without prior notice or apology.

6.9 Duties and Powers: Chairperson

- i. The Chairperson shall ensure the safekeeping of the Common Seal, which shall be affixed only by resolution of the Committee or of a General Meeting in the presence of the Secretary of the Committee.
- ii. The Chairperson shall chair Executive and General Meetings. In his absence the Vice Chairperson shall chair the said meetings.
- iii. In the event that both the Chairperson and Vice Chairperson are unable to chair the meeting, the Secretary shall be chairperson for that meeting.
- iv. The Chairperson at any meeting shall have a personal deliberative vote and shall, in addition, have a casting vote if votes are equal.
- v. The Chairperson together with the Secretary shall prepare the agenda for Executive and General meetings.
- vi. The Chairperson of a meeting shall encourage full, balanced participation by all members and shall decide on matters of order.
- vii. The Chairperson shall ensure that the minutes of proceedings at a meeting are signed at the next meeting.
- viii. The Chairperson shall be the spokesperson of the Association. He shall consult with the Secretary on the choice of an alternative spokesperson whenever he is unavailable.
- ix. The spokesperson shall make statements in accordance with the Objects, Purposes and Principles of this Constitution as well as any policies of the Association. Where the spokesperson is uncertain about these matters, he/she will consult with at least two members of the Executive Committee before making a statement.

6.10 Duties and Powers: Vice- Chairperson (Urban) and Committee Member (Rural)

- i. The Vice-Chairperson (Urban) shall be the principal assistant to the Chairperson.
- ii. The Vice-Chairperson (Urban) shall perform all the duties of the Chairperson and Executive Secretary General if either person ceases to be an Office Bearer or is temporarily absent.
- iii. The Vice-Chairperson (Urban) shall also fulfill the role of assistant Treasurer.
- iv. The Vice-Chairperson (Urban) shall assist with the conduct of the Executive Committee meeting by ensuring that items on the agenda are addressed within the time frame of the meeting.
- v. The Committee Member (Rural)`s responsibilities shall include those of the chairperson and will act as the main representative of the country (rural) community.

6.11 Duties and Powers: Treasurer

- i. The Treasurer shall cause all monies received to be paid into an account authorized by the Executive Committee in the name of the Association. Payments made by the Association shall be by cheque signed by two authorised signatories of whom there shall be no more than three appointed by the Executive Committee. Expenditures of \$1,000.00 or more shall be authorized in advance by the Executive Committee except in case of emergency.
- ii. The Treasurer shall cause records to be kept of all receipts and payments and other financial transactions. Financial statements shall be available for inspection by any member of the Association on request.
- iii. The Treasurer shall cause to be prepared financial budgets and statements and shall submit a report on the finances to each Executive Committee meeting and annual general meeting.
- iv. The Executive Committee shall appoint an auditor to audit Financial Statements before presentation to the Annual General Meeting, provided that where the auditor is changed, the Treasurer shall so inform the Annual General Meeting in the Treasurer`s Report.
- v. The Treasurer shall ensure that annual Financial Statements comprising either an account of receipts and payments and a statement of assets and liabilities or an account of income and expenditure and a balance sheet shall be prepared following the end of the Association`s financial year.

6.12 Duties and Powers: Secretary and Vice-Secretary

- i. The Secretary of the Committee shall ensure that notice of meetings is given in accordance with the provisions of the Constitution.
- ii. The Secretary of the Committee shall ensure that records of the Association are kept, including the Constitution and policies, records of members, a register of

- minutes of meetings and notices, a file of correspondence, a separate book recording all correspondence received or sent by the Association, and records of submissions or reports made by or on behalf of the Association.
- iii. The Secretary of the Committee shall ensure that agenda and records of meetings are sent to all members.
 - iv. The Secretary shall promote the activities of the Association.
 - v. The Secretary shall be responsible for communicating and coordinating with other organizations concerning the activities of the Association.
 - vi. The Secretary shall perform any other duties as may, from time to time, be assigned to him/her by the Committee.
 - vii. The Secretary shall deal with all correspondence, and is thus the official source of all documents including the maintenance of the website and its communication assets.
 - viii. The Vice-Secretary shall be the principal assistant to the Secretary.
 - ix. The Vice-Secretary shall perform all the duties of the Secretary if the latter ceases to be an Office Bearer or is temporarily absent.
 - x. The Vice-Secretary shall also fulfill the role of minutes taker at any meeting (Executive or Association meetings)
 - xi. The Vice-Secretary shall ensure that the minutes of proceedings at meetings are available and read at the commencement of any meeting.
 - xii. The Vice-Secretary working with the Secretary shall co-ordinate, organize and promote the activities of the Association.

6.13 Duties of Coordinators

- i. Events Coordinators - Responsible for the coordination of any Association events (other than executive meetings) as determined by the constitution's objectives, deciding on the events venues and organising the pre-payment of any needed funds through an advance cheque from the treasury.
- ii. Women's Affairs Coordinator - responsible for the coordination of women issues and he or she is the bridge between the executive and the community women. He or she shall be responsible for organizing functions with selected Association women and Events Coordinator. He or she shall be the principal spokesperson for women in the Association. He or She shall ensure that decisions and actions of the Association affirm and recognize the needs, interests and concerns of women. He or She shall promote and encourage equitable representation of women in all organs of the Association, including any sub- Committees or working parties, which may be formed from time to time.
- iii. Youth Coordinator - Responsible for the coordination of youth issues and he or she is the bridge between the executive and the community youth. He or she shall be responsible for organising functions with selected Association youth and Events Coordinator. He/she will represent youth in all forums including government, non-government bodies and other organizations. . In consultation

- with the Association, the Youth Coordinator shall implement policy principles to ensure Equity, Rights, accesses and full participation of youths in all Association activities. He/she shall advise the association on how best to serve the needs and interests of the youth
- iv. Fund-raising Coordinator - Responsible for the coordination of all Association fundraising activities as determined and approved by the Committee. He or she shall work very closely with the Treasurer in the organization of such approved fund-raising activities.
 - v. Rural Coordinator - Will be the Secretary in the Rural/country and will work closely with the Committee member (Rural). His or her duties will include those mentioned in the Secretary's duties wherever applicable.
 - vi. All the above coordinators will, within 4 weeks of assuming office, come up with an annual calendar of events/functions that will be discussed and ratified by the executive committee at the first Committee meeting following the elections and submitted to the secretary for adoption and implementation.

Chapter 7: THE DISCIPLINARY COMMITTEE

7.1 Composition

- i. The Disciplinary Committee shall consist of four members who shall be elected by the Executive Committee for a term of two years. The members of the disciplinary committee may be committee members, members of the Association or anyone else.
- ii. The paramount consideration in the selection of officers of the Disciplinary Committee shall be the necessity of securing the highest standards of efficiency, competence and integrity of the Association. Due regard shall be paid to the importance of selecting officers of the Disciplinary Committee from a broad base of community membership.

7.2 Functions and Powers

- i. The Disciplinary Committee shall be entrusted with the responsibility of dealing with the following matters:
 - (a) Misconduct of members
 - (b) Disputes among members
 - (c) Breaches of the present Constitution, which do not involve the likelihood of the commission of a criminal or other offence against the Association.
 - (d) Breaches of the present Constitution, which involve the likelihood of the commission of a criminal or other offence against the Association. The Disciplinary Committee will be governed in its procedure and decisions by equity, good conscience, and the substantial merits of the case and the laws of natural justice.
 - (e) Misuse and/or misappropriation of ZIMSA assets and funds.

7.3 Grounds for Taking Disciplinary Action

- i. The Association may take disciplinary action against a member in accordance with this constitution if it is determined that the member:
 - (a) has failed to comply with these Rules; or
 - (b) refuses to support the purposes of the Association; or
 - (c) has engaged in conduct prejudicial to the Association.

7.4 Disciplinary Procedures

- i. If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must refer the issue to a disciplinary committee to hear the matter and determine what action, if any, to take against the member.

- ii. The members of the disciplinary committee must not be biased against, or in favour of, the member concerned.

7.4.1 Notice to member:

- i. Before disciplinary action is taken against a member, the Secretary must give written notice to the member:
 - (a) stating that the Association proposes to take disciplinary action against the member; and
 - (b) stating the grounds for the proposed disciplinary action; and
 - (c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and
 - (d) advising the member that he or she may do one or both of the following:
 - 1) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - 2) (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
 - (e) setting out the member's appeal rights under Section 6.6.
- ii. The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

7.5 Decision of the Disciplinary Committee

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

7.6 Appeal Rights

- i. A person whose membership rights have been suspended or who has been expelled from the Association under Section 6.5 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- ii. The notice must be in writing and given—

- (a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
 - (b) to the Secretary not later than 48 hours after the vote.
- iii. If a person has given notice under sub-section (ii.), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
- iv. Notice of the disciplinary appeal meeting must be given to each member of the Association who is entitled to vote as soon as practicable and must—
 - (a) specify the date, time and place of the meeting; and,
 - (b) state—
 - 1) the name of the person against whom the disciplinary action has been taken; and
 - 2) the grounds for taking that action; and
 - 3) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

7.7 Conduct of Disciplinary Appeal Meeting

- i. At a disciplinary appeal meeting—
 - (a) no business other than the question of the appeal may be conducted; and
 - (b) the Committee must state the grounds for suspending or expelling the member and
 - (c) the reasons for taking that action; and
 - (d) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- ii. After complying with sub-section (i), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- iii. A member may not vote by proxy at the meeting.
- iv. The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

7.8 Grievance Procedure

7.8.1 APPLICATION

- i. The grievance procedure set out in this Division applies to disputes under these Rules between:
 - (a) a member and another member;
 - (b) a member and the Committee;
 - (c) a member and the Association.

- ii. A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

7.8.2 Parties Must Attempt to Resolve the Dispute

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

7.8.3 Appointment of Mediator

- i. If the parties to a dispute are unable to resolve the dispute between themselves within the time required by Section 6.8.2, the parties must within 10 days—
 - (a) notify the Committee of the dispute; and
 - (b) agree to or request the appointment of a mediator; and
 - (c) attempt in good faith to settle the dispute by mediation.
- ii. The mediator must be—
 - (a) a person chosen by agreement between the parties; or
 - (b) in the absence of agreement—
 - 1) if the dispute is between a member and another member—a person appointed
 - 2) by the Committee; or
 - 3) if the dispute is between a member and the Committee or the Association—a person appointed or employed by the Dispute Settlement Centre of Victoria.
- iii. A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who—
 - (a) has a personal interest in the dispute; or
 - (b) is biased in favour of or against any party.

7.8.4 Mediation Process

- i. The mediator to the dispute, in conducting the mediation, must—
 - (a) give each party every opportunity to be heard; and
 - (b) allow due consideration by all parties of any written statement submitted by any party; and
 - (c) ensure that natural justice is accorded to the parties throughout the mediation process.
- ii. The mediator must not determine the dispute.

7.8.5 Failure to Resolve Dispute by Mediation

- i. If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law
- ii. Any organ or member of the Community may refer any of the matters referred to in the preceding Section to the Disciplinary Committee.

- iii. The Disciplinary Committee may, of its own motion, inform itself of the occurrence of any of the matters referred to in the preceding Section.

7.8.6 Misconduct

The Disciplinary Committee shall consider any allegation of the misconduct of a member, which is likely to adversely affect the Association and make recommendations as to the action to be taken against the said member to the Executive Committee.

7.9 Disputes among Members

- i. Parties to any dispute between members of the Association which is likely to endanger the best interests of the Community shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration or other peaceful means of their own choice.
- ii. Where the Disciplinary Committee is seized of the dispute, the Disciplinary Committee shall likewise seek to resolve the dispute by resorting to mediation, conciliation and arbitration.
- iii. Breaches not likely to involve committing of an offence. Where the Disciplinary Committee is seized of a matter which is not likely to involve the committing of a criminal or other offence against the Association, the Disciplinary Committee shall consider the matter and recommend to the Executive Committee what action, or step, if any, should be taken.
- iv. Breaches likely to involve the committing of an offence. If the Disciplinary Committee determines that a breach of the present Constitution may involve the committing of a criminal or other offence against the Association, it shall recommend that the matter be referred to the relevant Government authority.

7.10 Voting (Disciplinary Committee)

- i. Each member of the Disciplinary Committee shall have one vote.
- ii. In the event that the Disciplinary Committee cannot reach a unanimous decision on any matter before it, the recommendations intended to be made to the Executive Committee shall also include the alternative or dissenting recommendations.
- iii. The Disciplinary Committee shall adopt its own rules of procedure.

Chapter 8: THE BUDGET

8.1 Sources of Funds and Management

- i. The budget of the association shall be prepared by the Treasurer and shall be tabled before the Committee for final approval.
- ii. Subject to this Section the Organization may borrow money from other financial institutions upon such terms and conditions as the Committee sees fit, and may secure the repayment thereof by charging the property of the Association.
- iii. The Organization shall keep such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the Association.
- iv. The budget shall be provided by:
 - (a) Annual membership fees
 - (b) Government and other external funds
 - (c) Funds raised through social, cultural and other activities organized by the Association
 - (d) Donations to the Association
 - (e) Any other legitimate sources of funds

8.2 Allocation of Funds

- i. The Executive Committee shall prepare annual and supplementary budgets for the Association, which shall be presented to the Executive Committee for consideration and approval.
- ii. The funds of the Association shall be used for the promotion of the Purposes of the Association.
- iii. In considering and approving budgets, the Executive Committee shall be guided by the Principles contained in the Constitution.
- iv. The income and capital of the Association shall be applied exclusively to the promotion of its objectives and no portion shall be paid or distributed directly or indirectly to members or their associates except as bona fide remuneration of a member for services rendered or expenses incurred on behalf of the Association.

Chapter 9: AMENDMENTS TO THE CONSTITUTION

This Constitution may be amended or revised if any member makes a written request to the Secretary to that effect; provided, however, that the proposed amendment is not submitted to the Executive Committee for consideration until all members have been duly notified of it and a period of three months has elapsed. Such amendments shall not be

effective unless approved by at least two-thirds of all the members and dealt with according to the Associations Incorporation Act of 1985.

Chapter 10: MEETINGS

10.1 Convocation of Meetings

- i. The Executive Committee may call a Special General Meeting of the Association at any time, and shall call an Annual General Meeting in accordance with the Act. The Executive Committee may, by a majority resolution of its members, cause the Executive Committee to call a General Meeting.
- ii. The first General Meeting shall be held within three (3) months after the incorporation of the Association, and thereafter within five (5) months after the end of its financial year.
- iii. Meetings of the Association to elect delegates and office holders shall be held at the completion of the relevant terms of office on any Saturday or Sunday as long as this is within the mentioned term of office.
- iv. Upon the requisition in writing of not less than fifty percent (50%) of the total number of members of the Association, the Executive Committee shall within one month of the receipt of the requisition, convene a Special General Meeting for the purpose specified in the requisition.
- v. Every requisition for a Special General Meeting shall be signed by the members making the same and shall state the purpose of the meeting.
- vi. If a Special General Meeting is not convened within one month, the requisitionists may convene a Special General Meeting. Such a meeting shall be convened in the same manner as a meeting convened by the Executive Committee, and for this purpose the Executive Committee shall ensure that the requisitionists are supplied free of charge with particulars of the members entitled to receive a notice of meeting. The reasonable expenses of convening such a meeting shall be borne by the Association.
- vii. Subject to sub-section (vi.) at least twenty-one (21) days' notice of any general meeting shall be given to members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of the business to be transacted at the meeting. In the case of an Annual General Meeting, the order of the business at the meeting shall be the consideration of the accounts and reports of the Executive Committee and the Auditors, the appointment of Auditors and Committee Members (if required) and any other business requiring the consideration of the Community in a General Meeting.
- viii. Notice of meeting at which a special resolution is to be proposed shall be given at least 21 days prior to the date of the meeting.
- ix. The Association may give a notice to any member by serving the member with the notice personally, or by sending it by post to the address appearing in the register of members.
- x. Where notice is sent by post, service of the notice shall be deemed to be effected if it is properly addressed and posted to the member by ordinary prepaid mail.

10.2 Proceedings at Meetings

- i. At least two thirds members present personally or by proxy shall constitute a quorum at any general meeting.
- ii. If within thirty minutes after the appointed time for the meeting a quorum of members is not present, a meeting convened upon requisition of members shall lapse. In any other case, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting a quorum is not present within 30 minutes of the time appointed for the meeting the members present should form a quorum.
- iii. The Chairperson of the Committee or if there is no chairperson, then the vice-Chairperson (Urban) of the Committee or in their absence, or in their declining to take, or retiring from the chair, the Secretary shall preside as Chairperson at every general meeting of the Association.
- iv. If there is not such Chairperson or Vice-Chairperson (Urban) or Secretary General present within five minutes after the time appointed for holding the meeting, members present may choose one of their number to be chairperson.
- v. The Chairperson may with the consent of any meeting at which a quorum is present, and shall if so directed by the meeting, adjourn from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- vi. When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as if that meeting were an original meeting of members.
- vii. At any general meeting, a resolution put to the vote shall be decided by a show of hands, and a declaration by the Chairperson of the meeting that a resolution has been carried or lost, shall unless a poll is demanded to conclusive evidence of the fact, without proof of the number or proportions of the votes recorded in favour of, or against, the resolution.
- viii. If the Chairperson of the meeting demands a poll personally or by proxy, three or more members present shall take it in such manner as the Chairperson directs. The result of such poll shall be the resolution of the meeting, except that in the case of a special resolution a majority of not less than three-quarters of the members who is entitled to do so vote personally or by proxy at the meeting is required.
- ix. A poll demanded on the election of a Chairperson of a meeting or any question for an adjournment shall be taken at the meeting and without adjournment.

10.3 Minutes

- i. Proper minutes of all proceedings of meetings of the Association and of meetings of all its organs shall be entered in minute books kept for that purpose within one month after the relevant meeting.

- ii. The minutes kept pursuant to this Section shall be signed by the chairperson of the meeting at which the proceedings took place or by the chairperson of the next succeeding meeting.
- iii. Where minutes are entered and signed as duly held, all proceedings held at that meeting shall be deemed to have been duly held, and all appointments made at that meeting shall be deemed to be valid.

10.4 Voting Rights

- i. Subject to these articles each member present in person or by proxy shall be entitled to one vote.
- ii. A member being a body corporate shall be entitled to appoint one person who need not be a member of the Association to represent it at a particular meeting or at all meetings of the Association. The corporate member shall appoint that person by a resolution of its board, which shall be authenticated under its seal. Such a person shall be deemed to be a member of the Association for all purposes until the authority to represent the corporate member is revoked.

10.5 Proxies

- i. A member shall be entitled to appoint in writing a natural person who is also a member of the Association to be his proxy, and to attend a vote at any meeting of the Community.

Chapter 11: CESSATION OF MEMBERSHIP

- i. Any related association may renounce its membership by forwarding a written notification to the Secretary. Any member of this Association wishing to retain his/her membership may apply for individual membership.
- ii. Any member of the Community may resign from membership by giving written notice to the Secretary. Any member so resigning shall be liable for any outstanding subscriptions, which shall be recorded as a debt due to the Association.

Chapter 12: MISCELLANEOUS PROVISIONS

- i. The working language of the Association shall be English.
- ii. The Executive Committee may accept, on behalf of the Association, gifts, bequests and other donations made to the Association, provided that it is in accordance with the policies formulated by the Executive Committee. All gifts, bequests and donations shall be lodged with the Treasurer immediately on receipt. The Treasurer shall within seven (7) days, inform the Secretary, who shall notify the Executive Committee as soon as practicable.

12.1 Accounts

The Association shall keep such accounting records as are necessary to correctly record and explain financial transactions and financial position of the Association.

12.2 Winding Up

- i. The Association shall keep such accounting records as are necessary to correctly record and explain financial transactions and financial position of the Association and hence ensure proper winding down once it is deemed necessary.
- ii. The association may be wound up in the manner provided for in the Act.

12.3 Application of Surplus Assets on Winding Up

If after the winding up of the Association, there remains “surplus assets” as defined in the Act, such surplus assets shall be applied to or for the benefit of such other body or Association whether corporate or incorporate having similar objectives of a charitable nature as shall be approved by the Association.