

CONSTITUTION OF A FAIRER WORLD INC

[as amended by the Special General Meeting 10/2/2022]

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1. Name of *Association*

The name of the *Association* is A FAIRER WORLD INC.

2. Interpretation

In these rules, words in *italics* have special meaning. Unless the context otherwise requires:

'accounting records' has the same meaning as in the *Act*,

'Act' means the Associations Incorporation Act 1964,

'A Fairer World' means A Fairer World Inc

'AGM' means an annual general meeting of the *Association* held under rule 13,

'Association' means the *association* referred to in rule 1,

'association' has the same meaning as in the *Act*,

'Auditor' means the person appointed as the auditor of the *Association* under rule 10,

'authorised deposit-taking institution' means a body corporate that is an authorised deposit-taking institution for the purposes of the Banking Act 1959 of the Commonwealth,

'basic objects of the Association' means the objects and purposes of the *Association* as stated in an application under section 7 of the *Act* for the incorporation of the *Association*,

'Committee' means the committee of management referred to in rule 23,

'financial year' has the same meaning as in the *Act*,

'General Meeting' means:

- (a) an AGM, or

(b) a *Special General Meeting*,

'Officer' means a person appointed as an officer of the *Association* under rule 25(3) or elected as an officer of the *Association* at an annual general meeting under rule 26,

'Ordinary Business of the AGM' means the business specified in rule 13 (5),

'Ordinary Committee Member' means a member of the *Committee* other than an *Officer*,

'Public officer' means the person who is the public officer of the *Association* under section 14 of the *Act*,

'Special Committee Meeting' means a meeting of the *Committee* convened by the president or any 4 of the members of the *Committee* under rule 28 (2),

'Special General Meeting' means a special general meeting of the *Association* convened under rule 14, and

special resolution has the same meaning as in the *Act*.

3. *Association's office*

The office of the *Association* is at 4 Battery Square, Battery Point or such other place as the *Committee* may, from time to time, determine.

4. *Objects and purposes of the Association*

- (1) *A Fairer World* is endorsed as exempt from tax under Subdivision 50-B of the Income Tax Assessment Act 1997 (endorsement as a Tax Concession Charity) and is established as a charitable institution, pursues charitable purposes only and applies its income in promoting these purposes.
- (2) The income and property of *A Fairer World* will be used and applied solely in promotion of its objects and no portion will be distributed, paid or transferred directly or indirectly by way of dividend, bonus or by way of profit to members, directors, or trustees of the charity.
- (3) The principal activity of *A Fairer World* is the prevention and control of human behaviour that is harmful to human beings, specifically in emotional and physical abuse, self-harm and suicide arising from prejudice, inequality and discriminatory practices. *A Fairer World* does this by providing training and educational programs to schools and workplaces to raise awareness around these issues and promote empathy, respect, inclusion and diversity competence.
- (4) In addition to these aims and basic objects, the objects and purposes of the *Association* include:
 - a) the purchase, taking on lease or in exchange, and the hire or other acquisition of any real or personal property necessary or convenient for any of the objects or purposes of the *Association*,
 - b) the purchase, sale, or supply of, or other dealing in, goods of all kinds,
 - c) the construction, maintenance, and alteration of buildings or works necessary or convenient for any of the objects or purposes of the *Association*,

- d) the accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the *Association*,
- e) the taking of any steps the *Committee* or the members in general meeting deem expedient for the purpose of procuring contributions to the funds of the *Association*,
- f) the printing and publishing of any newspapers, periodicals, books, leaflets, or other document the *Committee* or the members in general meeting determine desirable for the promotion of any of the objects and purposes of the *Association*,
- g) the borrowing and raising of money in any manner and on terms the *Committee* thinks fit or as approved or directed by resolution passed at a general meeting,
- h) subject to the provisions of the *Trustee Act 1898*, the investment of any money of the *Association* not immediately required for any of its objects or purposes in any manner the *Committee* determines,
- i) the making of gifts, subscriptions, or donations to any of the charitable funds, authorities, or institutions to which section 78A of the *Income Tax Assessment Act 1936* of the Commonwealth relates,
- j) the establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the *Association*,
- k) the purchase or acquisition, and undertaking, of all or part of the property, assets, liabilities, or engagements of any association with which the *Association* is amalgamated in accordance with the provisions of the Act and the rules of the *Association*, and
- l) the doing of any lawful thing incidental or conducive to the attainment of the basic objects of the *Association* or of any of the objects and purposes of the *Association*.

5. Membership of *Association*

(1) There are three (3) classes of membership; Individual, Group or Household, and Honorary.

A. Individual membership

- (i) Individual membership may be granted if:
 - a) a person subscribes to the basic objects and purposes of the *Association*,
 - b) pays a subscription in accordance with rule 32, and
 - c) their membership is approved by the *Committee*.
- (ii) An individual member may attend all (ii) general meetings (including the AGM) in their own right and may vote in accordance with these rules and the accepted rules for the conduct of meetings.
- (iii) An individual member may be nominated in their own right for election to any office bearer position or for a position on the *Committee*, provided such nomination is in accordance with the provisions of rule 24.

B. Group or household membership

- (i) Group or household membership may be granted if:

- a) the group subscribes to the basic objects and purposes of the *Association*,
 - b) the group pays a subscription in accordance with rule 32,
 - c) the membership is approved by the *Committee*, and
 - d) if the group is an incorporated body, it is incorporated in Australia.
- (ii) A group member may nominate one of its number as its representative to attend general meetings (including the *AGM*), but that will not prevent other members of the group attending meetings as observers without voting rights.
 - (iii) A group member may nominate one of its number for election to any or each of the office bearer positions and/or for a position on the *Committee*, provided such nomination is in accordance with the provision of section 24.

C. Honorary membership

- (i) Honorary membership may be granted to any person who, in the opinion of the *Committee*, has served the *Association* over a long period or whose contribution has been outstanding.
 - (ii) An honorary member may attend all general meetings (including the *AGM*) in their own right and may vote in accordance with these rules and the accepted rules for the conduct of meetings.
 - (iii) An honorary member may be nominated in their own right for election to any office bearer position or for a position on the *Committee*, provided such nomination is in accordance with the provisions of rule 24.
 - (iv) Honorary membership will normally be conferred for life unless the member is expelled under rule 35 in which case the honorary membership will be forfeited.
 - (v) Honorary members will not be required to pay subscriptions.
- (2) As soon as is practicable after the receipt of a nomination, the *Public officer* is to refer the nomination to the *Committee*.
 - (3) If a nomination is approved by the *Committee*, the *Public officer* is to notify the nominee, in writing, that they have been approved for membership of the *Association* and, on receipt of the amount payable by the nominee as the first year's subscription, enter the nominee's name in the register of members. The individual or group becomes a member when entered in the register.
 - (4) Any member of the *Association* may resign by delivering to the *Public officer* a written notice of resignation.
 - (5) On receipt of a notice under sub-rule (4) of this rule, the *Public officer* is to remove the name of the member from the register of members. They cease to be a member when removed from the register.
 - (6) The *Public officer* is to maintain a register of members containing:
 - a) the name of each member of the *Association* and the date on which they became a member,
 - b) the member's postal or residential address or address of business or employment,
 - c) an email address, if any, that the member has nominated as the email address to which notices from the *Association* may be sent, and

- d) the name of each person who has ceased to be a member of the *Association* and the date on which the person ceased to be a member of the *Association*.

6. Liability of members

- (1) A right, privilege, or obligation of a person by virtue of membership of the *Association*:
 - a) is not capable of being transferred or transmitted to another person, and
 - b) terminates upon the cessation of membership, whether by death, resignation, or otherwise.
- (2) In the event of the *Association* being wound up every member of the *Association*, and every person or group that, within the period of twelve months immediately preceding the commencement of the winding up, was a member of the *Association*, is liable to contribute:
 - a) to the assets of the *Association* for payment of the debts or liabilities of the *Association*, and
 - c) for the costs, charges, and expenses of the winding up, and
 - d) for the adjustment of the rights of the contributories among themselves.
- (3) Any liability under sub-rule (2) is not to exceed \$1.
- (4) Despite sub-rule (2), a former member is not liable to contribute in respect of any debt or liability of the *Association* incurred after they ceased to be a member.

7. Income and property of *Association*

- (1) The income and property of the *Association* is to be applied solely towards the promotion of the objects and purposes of the *Association*.
- (2) No portion of the income or property is to be paid or transferred to any member of the *Association* unless the payment or transfer is made in accordance with this rule.
- (3) The *Association* may:
 - a) pay a person or member of the *Association*:
 - (i) remuneration in return for services rendered to the *Association*, or for goods supplied to the *Association*, in the ordinary course of business of the person or member, or
 - (ii) remuneration that constitutes a reimbursement for out-of-pocket expenses incurred by the person or member for any of the objects or purposes of the *Association*, or
 - (iii) interest at a rate not exceeding 7.25% on money lent to the *Association* by the person or member, or
 - (iv) a reasonable amount by way of rent for premises, or a part of premises, let to the *Association* by the person or member, and
 - b) pay a member of the *Committee* remuneration in return for carrying out the functions of a member of the *Committee*, and
 - c) pay a member of a sub-committee remuneration in return for carrying out the functions of a

member of the sub-committee, and

- d) if requested by or on behalf of any other association, organisation or body, appoint or nominate a member of the *Association* to an office in that other association, organisation or body.

(4) Despite sub-rule (3) a), b) and c), the *Association* is not to pay a person any amount under that sub-rule unless the *Association* or *Committee* has first approved that payment.

(5) Despite sub-rule (3) d), the *Association* is not to appoint or nominate a member of the *Association* under that sub-rule to an office in respect of which remuneration is payable unless the *Association* or *Committee* has first approved:

- a) that appointment or nomination, and

the receipt of that remuneration by that member.

8. Accounts of receipts and expenditure

(1) True accounts are to be kept:

- a) of all sums of money received and expended by the *Association* and the matter in respect of which the receipt or expenditure takes place, and
- b) each asset or liability of the *Association*.

(2) The accounts are to be open to inspection by members of the *Association* at any reasonable time, and in any reasonable member, determined by the *Committee*.

(3) The Treasurer of the *Association* is to faithfully keep all general records, accounting books, and records of receipts and expenditure connected with the operations and business of the *Association* in such form and manner as the *Committee* determines.

(4) The accounts, books, and records are to be kept at the *Association's* office or at such other place as the *Committee* determines.

9. Banking and finance

(1) The Treasurer of the *Association*, is to have oversight of the following tasks, which may be carried out on a day-to-day basis by *Association* staff:

- a) receive all money paid to the *Association*, and
- b) as soon as practicable after receiving the money, issue an official receipt, and
- c) pay the money into the *Association's* bank account.

(2) The *Committee* is to open with an *authorised deposit-taking institution* an account in the name of the *Association*.

(3) The *Committee* may receive from the *Association's authorised deposit-taking institution* a cheque drawn by the *Association* on any of its accounts with the authorised deposit-taking institution and release and indemnify the *authorised deposit-taking institution* from and against all claims, actions, suits, or other proceedings arising directly or indirectly out of that cheque.

- (4) Except with the authority of the *Committee*, no payment of a sum exceeding one hundred dollars is to be made from the funds of the *Association* otherwise than by cheque or electronic funds transfer drawn on the *Association's* bank account.
- (5) The *Committee* may provide the Coordinator of the *Association* with an appropriate sum to meet small items of expenditure, subject to any conditions the *Committee* may impose in relation to expenditure.
- (6) No cheques are to be drawn or electronic transfers made from the *Association's* bank account except for the payment of expenditure that has been authorised by the *Committee*.
- (7) All cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments are to be:
 - a) signed by the Treasurer or, in their absence, by any other member or members of the *Committee*, that the *Committee* nominates for that purpose, and
 - b) countersigned by the *Public officer*.

10. Auditor

- (1) At each *AGM* of the *Association*, the members present are to appoint a person as the auditor of the *Association* ("*Auditor*").
- (2) If an *Auditor* is not appointed at an *AGM* under sub-rule (1), the *Committee* is to appoint a person as the auditor of the *Association* as soon as practicable after that *AGM*
- (3) The *Auditor* is to hold office until the next *AGM* and is eligible for re-appointment.
- (4) The first *Auditor* may be appointed by the *Committee* before the first *AGM*, and, if so appointed, is to hold office until the first *AGM*, unless previously removed by a resolution of the members at a general meeting, in which case the members at that meeting may appoint an *Auditor* to act until the first *AGM*.
- (5) If an appointment is not made at an *AGM* the *Committee* will appoint an *Auditor* of the *Association* for the then current financial year of the *Association*.
- (6) Except as provided in sub-rule (4) of this rule, the *Auditor* may only be removed from office by special resolution.
- (7) If a casual vacancy occurs in the office of *Auditor*, the *Committee* is to appoint a person to fill the vacancy until the end of the next *AGM*.

11. Audit of accounts

- (1) At least once in each financial year of the *Association*, the accounts of the *Association* are to be examined by the *Auditor*.
- (2) The *Auditor* is to certify as to the correctness of the accounts of the *Association* and provide a written report to the members present at the *AGM*.
- (3) In the report, and in certifying to the accounts, the *Auditor* is to state:

- a) whether they have obtained the information required,
 - b) whether, in their opinion, the accounts exhibit a true and correct view of the financial position of the *Association* according to the information at their disposal, and
 - c) whether the rules relating to the administration of the funds of the *Association* have been observed.
- (4) The *Public officer* of the *Association* is to deliver to the *Auditor* a list of all the accounts, books, and records of the *Association*.
- (5) The *Auditor*:
- a) has a right of access to the accounts, books, records, and documents of the *Association*,
 - b) may require from any employee of, or person who has acted on behalf of, the *Association* any information and explanations the *Auditor* considers necessary for the performance of their duties,
 - c) may employ any person to assist in auditing the financial affairs of the *Association*, and
 - d) may, in relation to the accounts of the *Association*, examine any member of the *Committee*, any employee of, or any person who has acted on behalf of, the *Association*.

12. Exemptions under the Act

- (1) For any financial year that the *Association* is exempt from the requirement to be audited by virtue of section 24(1B) or (1C) of the Act:
- a) an *Auditor* is not required to be appointed for that financial year under rule 10 unless the *Association* elects to have the financial affairs of the *Association* for that financial year audited in accordance with the Act and these rules, and
 - b) if an *Auditor* is not appointed for a financial year by virtue of paragraph (a) –
 - (i) rules 10 and 11 do not apply in respect of the *Association* for that financial year, and
 - (ii) rule 13 (5) (b), to the extent that it relates to an *Auditor*, does not apply in respect of the *AGM* held by the *Association* in respect of that financial year, and
 - (iii) rule 13 (5) (e) does not apply in respect of the *AGM* held by the *Association* in respect of that financial year.
- (2) For any financial year that the *Association* is exempt from the requirement to provide an annual return by virtue of section 24 (1B) of the Act, the *Committee* must provide, as part of the ordinary business of the *AGM* for that financial year, a copy of the annual financial report given under the Australian Charities and Not-for-profits Commission Act 2012 of the Commonwealth in respect of that financial year.

13. Annual General Meeting ("AGM")

- (1) The *Association* is to hold an *AGM* each year.
- (2) The *AGM* is to be held on any day (being no later than six months after the close of the financial

year of the *Association*) the *Committee* determines.

- (3) The *AGM* is to be in addition to any other general meetings that may be held in the same year.
- (4) The notice convening the *AGM* is to specify the purpose of the meeting.
- (5) The ordinary business of the *AGM* is to be:
 - a) to confirm the minutes of the last preceding *AGM* and of any general meeting held since that meeting,
 - b) to receive from the *Committee*, *Auditor*, employees and other persons acting on behalf of the *Association*, reports on the transactions of the *Association* during the last preceding financial year,
 - c) to elect the *Committee*,
 - d) to appoint the *Public officer*,
 - e) to appoint the Patron(s),
 - f) to appoint the *Auditor* and determine their remuneration, and
 - g) to determine the remuneration of employees and other persons acting on behalf of the *Association*.
- (6) The *AGM* may transact special business of which notice is given in accordance with these rules.
- (7) All general meetings other than the *AGM* are to be called *Special General Meetings*.
- (8) Minutes of proceedings of an *AGM* are to be kept, in the minute book of the *Association*, by the *Public officer* or, in the absence from the meeting of the *Public officer*, by an officer of the *Association* who is nominated by the chairperson of the meeting.

14. *Special General Meetings*

- (1) The *Committee* may convene a *Special General Meeting* of the *Association* at any time.
- (2) The *Committee*, on the requisition in writing of not less than ten members, is to convene a *Special General Meeting* of the *Association*.
- (3) A requisition for a *Special General Meeting*:
 - a) is to state the objects of the meeting, and
 - b) is to be signed by each of the requisitionists, and
 - c) is to be deposited at the office of the *Association*, and
 - d) may consist of several documents, each signed by one or more of the requisitionists.
- (4) If the *Committee* does not cause a *Special General Meeting* to be held within twenty-one days from the date on which a requisition is deposited at the office of the *Association*, any one or more of the requisitionists may convene the meeting within three months from the date of the deposit of the requisition.
- (5) A *Special General Meeting* convened by requisitionists is to be convened in the same manner, as nearly as possible, as a *Special Committee Meeting*.

- (6) All reasonable expenses incurred in convening the meeting are to be refunded by the *Association* to the persons incurring them.

15. Notice of general meetings

- (1) At least fourteen days before the day on which a general meeting of the *Association* is to be held, the *Public officer* is to publish a notice specifying the place, day, and time of the meeting, and the nature of the business to be transacted at the meeting.
- (2) A notice is published for the purposes of sub-rule (1) if the notice:
 - a) is contained in an advertisement appearing in at least one newspaper circulating in Tasmania, or
 - b) appears on a website, or at an electronic address, of the *Association*, or
 - c) is sent to each member of the *Association* in accordance with rule 34.

16. Business and quorum at general meetings

- (1) All business transacted at Special General Meetings and all business transacted at the *AGM*, other than the *Ordinary Business* of the *AGM*, is special business.
- (2) Business is not to be transacted at a general meeting unless a quorum of members entitled to vote is present during the time when the meeting is considering that item.
- (3) A quorum for the transaction of the business of a general meeting is ten members of the *Association* entitled to vote.
- (4) If a quorum is not present within one hour after the appointed time for the commencement of a general meeting, the meeting:
 - a) if convened on the requisition of members, is dissolved, or
 - b) in any other case is to be adjourned to the same day in the next week, at the same time and (unless another place is specified by the chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (5) If at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting is dissolved.

17. President to preside at general meetings

- (1) The President, or in their absence, the Senior Vice-President, or in the absence of both the President and the Senior Vice-President, the other Vice-President, is to preside as chairperson at every general meeting of the *Association*.
- (2) If the President and both Vice-Presidents are absent from a general meeting, the members present are to elect one of their number to preside as chairperson.

18. Adjournment of general meetings

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of 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) Where a meeting is adjourned for fourteen days or more, notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.
- (3) If a meeting is adjourned for less than 14 days, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

19. Determination of questions arising at general meetings

- (1) A question arising at a general meeting of the *Association* is to be determined on a show of hands.
- (2) A declaration by the chairperson that a resolution has, on a show of hands, been lost or carried, or been carried unanimously or carried by a particular majority, together with an entry to that effect in the minute book of the *Association*, is evidence of that fact unless a poll is demanded on or before that declaration.

20. Votes

- (1) On any question arising at a general meeting of the *Association*:
 - a) a person who is an individual member will have one vote only, and
 - b) an organisation which is a corporate member will have not more than three votes, each of which must be cast by a separate member of that organisation present at the meeting.
- (2) All votes are to be given personally.
- (3) In the case of an equality of voting on a question the chairperson of the meeting is entitled to exercise a second or casting vote.

21. Taking of poll

If at a meeting a poll on any question is demanded it is to be taken at that meeting in the manner that the chairperson determines, and the result of the poll is to be taken to be the resolution of the meeting on that question.

22. When poll to be taken

A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately, and a poll that is demanded on any other question is to be taken at any time

before the close of the meeting as the chairperson determines.

23. Affairs of Association to be managed by a Committee

- (1) The affairs of the *Association* are to be managed by a *Committee* constituted as provided in rule 25.
- (2) The *Committee*:
 - a) is to control and manage the business and affairs of the *Association*, and
 - b) may exercise all the powers and perform all the functions of the *Association*, other than those powers and functions that are required by these rules to be exercised by members of the *Association* at a general meeting, and
 - c) has power to do anything that appears to the *Committee* to be essential for the proper management of the business and affairs of the *Association*.

24. Composition of the Committee

- (1) The *Committee* shall consist of no more than thirteen (13), being:
 - a) up to eight (8) members elected at the *AGM*, and
 - b) the five (5) office bearers of the *Association*.
- (2) The *Committee* is to take office at the conclusion of the *AGM* and hold office until the conclusion of the next *AGM*.
- (3) If a casual vacancy occurs in the office of an *Ordinary Committee Member*, the *Committee* may appoint a member of the *Association* to fill the vacancy until the end of the next *AGM* after the appointment.
- (4) If an office of an *Ordinary Committee Member* is not filled at an *AGM*, there is taken to be a casual vacancy in the office.

25. Officers of the Association

- (1) The officers of the *Association* are:
 - a) one (1) President and two (2) Vice-Presidents, or
 - b) two (2) Presidents and one (1) Vice-President, and
 - c) a Secretary, and
 - d) a Treasurer.
- (2) These officers of the *Association* constitute the executive *Committee* and take office at the conclusion of the *AGM* and hold office until the next *AGM*.
- (3) If a casual vacancy in an office referred to in sub-rule (1) occurs, the *Committee* may appoint one of its members to fill the vacancy until the end of the next *AGM* after the appointment.

- (4) If an office referred to in sub-rule (1) is not filled at an *AGM*, there is taken to be a casual vacancy in the office.

26. Election of *Committee*

- (1) Nominations of candidates for election as officers of the *Association* or as ordinary *Committee* members are to be:
- a) 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 nomination), and
 - b) delivered to the *Public officer* of the *Association* at least 10 days before the day on which the *AGM* is to be held.
- (2) If nominations are received are equal to or less than the number of vacancies on the *Committee*, the candidates nominated are taken to be elected.
- (3) If the number of nominations exceeds the number of vacancies to be filled, a ballot is to be held.
- (4) The ballot for the election of officers and ordinary *Committee* members is to be conducted at the *AGM* in the manner determined by the *Committee*.

27. Vacation of office

For the purposes of these rules, the office of an *Officer* of the *Association* or of an *Ordinary Committee Member* becomes vacant if the *Officer* or *Committee* member:

- a) dies,
- b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors, or makes any assignment of his estate for their benefit,
- c) becomes a represented person within the meaning of the Guardianship and Administration Act 1995,
- d) resigns office in writing addressed to the *Committee*,
- e) ceases to be resident in the State,
- f) fails, without leave granted by the *Committee*, to attend three consecutive meetings of the *Committee*,
- g) ceases to be a member of the *Association*, or
- h) fails to pay all arrears of subscription due within fourteen days after receiving a notice in writing signed by the *Public officer* stating that they have failed to pay one of more amounts of annual subscriptions of the *Association*.

28. Meetings of the *Committee* and of sub-committees

- (1) The *Committee* is to meet at least five times each year (at least once in each quarter) at such

place and at such times as the *Committee* determines.

- (2) *Special Committee Meetings* may be convened by the President, or any four of its members.
- (3) Notice is to be given to members of the *Committee* of any special meeting, specifying the general nature of the business to be transacted, and no other business is to be transacted at such a meeting.
- (4) Any five members of the *Committee* constitute a quorum for the transaction of the business of a meeting of the *Committee*.
- (5) No business is to be transacted 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 be adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting, in which case it lapses.
- (6) At meetings of the *Committee*, the chairperson is to be:
 - a) a President, or in their absence a Vice-President, or
 - b) if the President(s) and the Vice-President(s) are absent, one of the remaining members of the *Committee* as determined by the members present.
- (7) Questions arising at meetings of the *Committee* or of any sub-committee appointed by the *Committee* are to be determined on a show of hands or, if demanded by a member, by a poll taken in the manner the chairperson determines.
- (8) 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 and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (9) Notice of each *Committee* meeting is to be served on each member of the *Committee* in accordance with rule 34 (Notices).

29. Disclosure of interest in contracts

- (1) If a member of the *Committee* or a member of a sub-committee has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the *Committee* or sub-committee at a meeting, the member is to, as soon as practicable after the relevant facts come to the member's knowledge, disclose the nature of the interest to the *Committee*.
- (2) If at a meeting of the *Committee* or a sub-committee a member of the *Committee* or sub-committee votes in respect of any matter in which the member has a direct or indirect pecuniary interest, that vote is not to be counted.

30. Sub-committees

- (1) The *Committee* may appoint a sub-committee from the *Committee* and prescribe the powers and functions of that sub-committee.
- (2) The *Committee* may co-opt as members of a sub-committee any person, whether or not the

person is a member of the *Association*, but a person so co-opted is not entitled to vote.

- (3) A quorum for the transaction of the business of a meeting of the sub-committee is 3 appointed members entitled to vote.
- (4) The *Public officer* of the *Association* is responsible for calling meetings of a sub-committee.
- (5) Any question arising at a meeting of a sub-committee is to be determined:
 - a) on a show of hands, or
 - b) if demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.
- (6) On any question arising at a meeting of a sub-committee, a member of the sub-committee (including the chairperson) has one vote only.
- (7) Notice of each sub-committee meeting is to be served on each member of the sub-committee in accordance with rule 34 (Notices).
- (8) Sub-committees are to report any recommendations and decisions to the next meeting of the *Committee*.

31. Executive *Committee*

- (1) The President, the Vice-Presidents, the Treasurer, and the Secretary constitute an executive *Committee*, which may issue instructions to the *Public officer* and employees of the *Association* in matters of urgency connected with the management of the affairs of the *Association* during the intervals between meetings of the *Committee*.
- (2) The Executive *Committee* is to report on any decisions made or instructions issued under sub-rule (1) to the next meeting of the *Committee*.

32. Annual subscription

- (1) The amount of the annual subscription may be reviewed and altered each year by the *Committee*.
- (2) The annual subscription may be provided by in-kind support; active volunteers registered and working for the *Association* will be deemed to have met their subscription in kind.
- (3) If a member of the *Association* has not paid their annual subscription within 3 months of its due date, and the member has been sent a reminder and the member has not, within 14 days after receiving the notice, paid the annual subscriptions, the *Public officer* may remove the name of the member from the register of members.
- (4) A member who has not paid their annual subscription under sub-rule (3), is not entitled to attend, or vote at, the next *AGM* of the *Association*.

33. Financial year

The annual financial year of the *Association* is the period beginning on 1st July in each year and ending on the 30th June of the following year.

34. Notices

Except as otherwise provided in these rules, a document may be served under these rules on a person by:

- a) giving it to the person, or
- b) leaving it at, or sending it by post, to the person's postal or residential address or place or address of business or employment last known to the server of the document, or
- c) emailing it to the person's nominated email address.

35. Expulsion of members

- (1) The *Committee* may expel any type of member from the *Association* if, in the opinion of the *Committee*, the member is guilty of conduct detrimental to the interests of the *Association*.
- (2) The expulsion of a member pursuant to sub-rule (1) of this rule does not take effect until whichever of the following occurs:
 - a) until the fourteenth day after the service on the member of a notice under sub-rule (3) of this rule, or
 - b) if the member exercises their right of appeal under this rule, until the conclusion of the *Special General Meeting* convened to hear the appeal.
- (3) If the *Committee* expels a member from the *Association*, the *Public officer*, without undue delay, is to cause to be served on the member a notice in writing:
 - a) stating that the *Committee* has expelled the member,
 - b) specifying the grounds for the expulsion, and
 - c) informing the member of the right to appeal against the expulsion under this rule.
- (4) A member may appeal against expulsion under sub-rule (3) of this rule serving on the *Public officer* of the *Association*, within fourteen days after the service of that notice, a requisition in writing demanding the convening of a *Special General Meeting* for the purpose of hearing the appeal.
- (5) On receipt of a requisition, the *Public officer* is to immediately notify the *Committee* of its receipt and the *Committee* is to cause a *Special General Meeting* to be held within twenty-one days after the date on which the requisition is received.
- (6) At a *Special General Meeting* convened for the purpose of hearing an appeal under this rule:
 - a) no business other than the question of the expulsion is to be transacted,
 - b) the *Committee* may place before the meeting details of the grounds of the expulsion and the

Committee's reasons for the expulsion,

- c) the expelled member must be given an opportunity to be heard, and
 - d) the members present are to vote by secret ballot on the question whether the expulsion should be lifted or confirmed.
- (7) If at the *Special General Meeting* a majority of the members present vote in favour of the lifting of the expulsion, the expulsion is lifted and the expelled member is entitled to continue as a member of the *Association*.
- (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*.

36. Disputes

- (1) A dispute between a member of the *Association*, in their capacity as a member, and the *Association* is to be determined by arbitration in accordance with the provisions of the Commercial Arbitration Act 2011.
- (2) This rule does not affect the operation or effect of rule 35.

37. Seal of the *Association*

- (1) The seal of the *Association* is to be in the form of a rubber stamp inscribed with the name of the *Association* encircling the word "Seal".
- (2) The seal of the *Association* is not to be affixed to any instrument except by the authority of the executive *Committee*, and the affixing of the seal is to be attested by the signatures of two members of the *Committee* or of one member of the *Committee* and the *Public officer* or such other person as the *Committee* may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the *Committee*.
- (3) The seal may be affixed to all legal agreements entered into in the name of the *Association*.
- (4) The seal is to remain in the custody of the *Public officer*.

38. Patron(s)

- (1) At each *AGM* of the *Association*, the members present may appoint any people it determines to be Patrons.
- (2) The Patron(s) will be appointed based on their standing within the community, the compatibility of their values with those of the *Association*, and their potential contribution to the objectives of the *Association*.
- (3) The total number of Patrons of the *Association* is not to be more than ten at any one time.
- (4) The *Committee* or Executive *Committee* may at any time withdraw the status of Patron as they think fit.

(5) The *Association* will recognise Patrons through citation in promotional material and letterheads.

(6) The role of Patrons is to:

- be an active supporter of the *Association*,
- enhance the status of the *Association* by their willingness to be publicly associated with the objects and activities of the *Association*,
- provide advice and counsel on general directions or specific activities of the *Association*,
- be available to attend public events from time to time and participate in significant *Association* events, and
- whenever possible attend *Association* fundraising events, support fundraising activities and represent the *Association* to potential supporters.

39. Dissolution of the *Association*

In the event of the *Association* being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities is to be transferred to another organisation with similar objects which is not carried on for the profit or gain of its individual members and which is endorsed as exempt from tax under Subdivision 50-B of the *Income Tax Assessment Act 1997* (endorsement as a Tax Concession Charity).

40. *A Fairer World* Public Fund

- (1) *A Fairer World* will establish and maintain a not-for-profit public fund named *A Fairer World* Public Fund. *A Fairer World* intends that the public fund be established and maintained as a trust.
- (2) The principal purpose of *A Fairer World* Public Fund is to actively seek public donations towards programs that prevent or control human behaviour that is harmful to human beings, specifically in emotional and physical abuse, self-harm and suicide arising from prejudice, inequality and discriminatory practices.
- (3) The Public Fund is established to receive all gifts of money or property for this purpose and will not act as a mere conduit for the donation of money or property to other organisations, bodies or persons.
- (4) A separate bank account is to be maintained in the name of *A Fairer World* Public Fund. All money received as gifts, interest on donations, income derived from donated property, and money from the realisation of such property is to be deposited into this account. No money or property from other sources is to be deposited into this account.
- (5) The Public Fund is to be administered by a sub-committee, with a minimum of three members, appointed by the *Committee*. A majority of the sub-committee members is to have responsible person qualifications as described in the guidelines for the Register of Harm Prevention Charities.
- (6) No monies/assets of the public fund will be distributed to members or office bearers of the

Association, except as reimbursement of out-of-pocket expenses incurred on behalf of the fund or proper remuneration for administrative services.

- (7) Proper *accounting records* and procedures are to be established and maintained for the Public Fund, including receipts issued with the following information:
- the receipt number and date,
 - the name of the donor and amount donated,
 - *A Fairer World's* name and Australian Business Number (ABN),
 - "*A Fairer World Public Fund is a public fund listed on the Register of Harm Prevention Charities under Subdivision 30-EA of the Income Tax Assessment Act 1997*", and
 - the signature of a person authorised to act on behalf of the Public Fund.
- (8) The Public Fund is to comply with all Commonwealth Government requirements and:
- be endorsed as a Tax Concession Charity and comply with Subdivision 30-EA of ITAA,
 - any rules that the Treasurer and the Minister make to ensure that gifts to public funds are used only for their principal activity,
 - provide audited financial statements for *A Fairer World* and *A Fairer World Public Fund* that detail the expenditure of public fund monies and the management of public fund assets,
 - provide all statistical information on donations requested, and
 - notify the Department responsible for the administration of the Register of Harm Prevention Charities of any proposed amendments or alterations to the operation of the Public Fund or to this Constitution document including changes to:
 - the principal activity,
 - the name of the *Association* or the Public Fund,
 - membership of the committee of the Public Fund, or
 - if the Public Fund suffers any financial difficulties.
- (9) In the event of the Public Fund being wound up, any surplus assets will be transferred to a public fund with similar purposes and on the Register of Harm Prevention Charities.