

*Coffs Harbour & District  
Eisteddfod Society Inc.*

*Constitution*

*Amended November 2005*

**Name:** The name of the organisation shall be the Coffs Harbour & District Eisteddfod Society, hereinafter called *the Society*.

**Objects:** The objects of the Society shall be:

- a) To conduct Eisteddfods, concerts, debating, public speaking, dance contests & dramatic performances in Coffs Harbour City Council area.
- b) To encourage & facilitate training of musical, speech & Drama and dance ability in Coffs Harbour
- c) To collect and accept subscriptions & donations of real and personal property, together with any profits accruing, for the furtherance of the objects of the Society.
- d) To invest in any security authorised by law for the investment of Trust Funds any monies of the Society not immediately required.
- e) To cooperate with organisations in other towns in the conduct of Eisteddfods.

**Membership:**

- a) Membership is open to all individuals and organisations who accept the objects and rules of the Society.
- b) Individuals and organisations wishing to become members of the Society shall apply to the Committee for membership.
- c) The Committee shall determine whether or not to accept an application for membership.
- d) Members shall pay such fees as are determined by the Society at the Annual General Meeting.
- e) The Secretary of the Society shall keep a register of financial members.
- f) Membership shall cease upon resignation, expulsion or failure to pay outstanding membership fees.
- g) Membership fees shall fall due prior to the commencement of the Annual General Meeting. Failure to pay membership fees before December 31<sup>st</sup> shall result in the forfeiture of member privileges.
- h) The financial year of the Society shall be from August 1<sup>st</sup> to July 31<sup>st</sup>, or such other period as is determined by the committee.

**Members Liability:**

The members of the Society shall have no liability to contribute towards the payment of debts & liabilities of the Society, or the costs, charges & expenses of winding up the Society, except to the amount of any unpaid membership.

**Disciplining of Members:**

The procedure for disciplining members shall be determined by the committee. Anyone who wishes to appeal against a decision i.e. refusing membership, expelling them from membership or otherwise disciplining them, may do so at the next General Meeting of the Society.

***Management by the Committee:***

- a) The Society shall have its affairs controlled and managed by the Office Bearers, and other members known as the Committee.
- b) Office bearers shall consist of a President, Vice-President, Secretary, Treasurer and Entry Secretary.
- c) The Committee shall consist of the Office Bearers and the Section Organisers, and the Publicity Officer.
- d) All Office Bearers and Committee members shall be elected at the Annual General Meeting, to be conducted in September of each year.
- e) Each member of the committee shall hold office from the date of his or her election or appointment until the next Annual General Meeting.
- f) Retiring committee members shall be eligible for re-election.
- g) The Committee shall meet at least once every month, or as often as necessary, to conduct the business of the Society – there shall not be less than eight (8) meetings of the Committee per year.
- h) The quorum for committee meetings of the Society shall be set at a number (no less than seven), at the Annual General Meeting, by the incoming Committee.
- i) Notice of Committee meetings shall be given at the previous committee meeting or by such other means as the Committee decides upon.
- j) A member of the committee shall cease to hold office upon resignation, in writing, removal as a member of the Society, or absence from three (3) successive committee meetings, without approval by the Committee.
- k) If a quorum is not present within fifteen (15) minutes of the scheduled commencement time of a meeting, the meeting shall continue, with all decisions made to be ratified at the next meeting where a quorum is present.
- l) Questions arising at any of the committee meetings shall be decided by a majority of votes of those present. In the case of a tied vote the Chairman of the meeting shall exercise a casting vote.

***General Meetings:***

- a) An Annual General Meeting of the Society shall be held each year within six (6) weeks from the end of the financial year of the Society and shall be advertised 21 days and again 7 days prior to the meeting in the local newspaper.
- b) The Committee may, whenever it thinks fit, convene a Special General Meeting of the Society. The Committee must convene a Special General Meeting within three (3) months of receiving a written request to do so from at least 5% of the membership of the Society.
- c) At least fourteen (14) days' notice of all General Meetings shall be given to members. In the case of a general meeting where a special resolution is to be proposed, notice of the meeting shall be given to members at least twenty-one (21) days before the meeting.

- d) In the case of the Annual General Meeting the following business shall be transacted:-
1. Confirmation of the minutes of the last Annual General Meeting, and any recent Special General Meeting.
  2. Receipt of the Committee's report on the activities of the Society in the last financial year.
  3. Election of Office Bearers and other members of the Committee to be conducted by a responsible member of the community (this may be a current member of the Society).
  4. Receipt and consideration of a statement from the Committee, which is not misleading, and gives a true and fair view for the last financial year of the Society's:-
    - Income and expenditure
    - Assets and liabilities
    - Trust properties
    - Mortgages charges & other securities.
- e) The quorum for a General Meeting shall be no less than seven (7) present in person.
- f) Voting at a General Meeting shall be by show of hands unless a secret ballot is demanded. Decisions shall be made by a simple majority vote, except for those matters that must be decided by Special Resolution where a three-quarter majority is required.
- g) Votes must be conducted in person. No proxy voting will be permitted or accepted.
- h) In the case of an equality of votes the appointed chairman shall have a second or casting vote.
- i) Nominations of candidates for election as Office Bearers or other Committee Members may be made at the Annual General Meeting, or in such other ways as may be determined by the Society at a General Meeting.

***Office Bearers:***

- a) The President or, in the President's absence, the Vice-President, shall act as chairperson at each General Meeting and Committee meeting of the Society.
- b) If the President or Vice-President are absent from a meeting, or unwilling to act, the members present shall elect one of their number to act as chairperson.
- c) The Secretary shall keep records of the business of the Society, including the rules, register of members, minutes of all General and Committee Meetings, and a file of correspondence.
- d) The Treasurer shall ensure that all money received by the Society is paid into an account in the Society's name. Payments shall be made through petty cash or by cheque signed by two nominated signatories authorised by the committee. Major or unusual expenditures shall be authorised in advanced by the committee or at a general meeting.
- e) The Treasurer shall ensure that correct books and accounts are kept showing the financial affairs of the Society. These records shall be available for inspection by any member and shall be held in the custody of

the Treasurer. Prior to the Annual General Meeting the Treasurer is to have the financial records audited after July 31<sup>st</sup> of each year.

***Special Resolutions:***

- a) A special resolution must be passed by a General Meeting of the Society to effect the following:-
  - 1) A change in the name of the Society.
  - 2) A change in the rules of the Society.
  - 3) A change in the objects of the Society.
  - 4) An amalgamation with another Incorporated Society.
  - 5) To voluntarily wind up the Society, and distribute its property.
  - 6) To apply for registration as a Company or Cooperative.
- b) A special resolution shall be passed in the following manner:
  - 1) A notice must be sent to all members advising that a general meeting be to be held to consider a special resolution (21 days prior to the meeting date).
  - 2) The notice shall include details of the special resolution.
  - 3) A quorum must be present at the meeting.
  - 4) At least  $\frac{3}{4}$  of those present must vote in favour of the special resolution
  - 5) In situations where it is not possible or practicable for a special resolution to be passed as described above, a request may be made to the Department of Fair Trading for permission to pass the resolution in some other way.

***Public Officer:***

- a) The Committee shall ensure that a person is appointed as Public Officer.
- b) The first Public Officer shall be the person who completed the application for incorporation of the Society.
- c) The Committee may, at any time, remove the Public Officer and appoint a new Public Officer provided that person is 18 years old, or older, and a resident of New South Wales.
- d) The Public Officer shall be deemed to have vacated their position in the following circumstances:-
  - 1) Death.
  - 2) Resignation
  - 3) Removal by the Committee at a general meeting.
  - 4) Bankruptcy or financial insolvency.
  - 5) Mental illness.
  - 6) Residency outside New South Wales.

- e) When a vacancy occurs in the position of Public Officer, the Committee shall, within 14 days, advise the Department of Fair Trading by the prescribed form, and appoint a new Public Officer.
- f) The Public Officer is required to notify the Department of Fair Trading by the prescribed form in the following circumstances:-
  - 1) Appointment (within 14 days)
  - 2) A change of residential address (within 14 days)
  - 3) A change in the Society's objects or rules (within 14 days)
  - 4) A change in the membership of the committee (within 14 days)
  - 5) Of the Society's financial affairs (within one month of the Annual General Meeting)
  - 6) A change in the Society's name (within one month)
- g) The Public Officer may be an office bearer, committee member, or any other person regarded as suitable for the position by the committee.

***Miscellaneous:***

- a) The Society shall effect, and maintain, the insurance as is required under the Associations Incorporation Act, together with any other insurance which may be required by law or regarded as necessary by the Society.
- b) The funds of the Society shall be derived from the fees of members, donations, grants and such other sources approved by the Society.
- c) The Common Seal of the Society shall be kept in the custody of the Secretary and shall only be affixed to a document with the approval of the committee. The stamping of the Common Seal shall be witnessed by the signatures of two members of the committee.
- d) The Society may at any time pass a special resolution determining how any surplus property is to be distributed in the event that the Society should be wound up. The distribution of surplus property shall be in accordance with Section 52 of the Associations Incorporations Act of 1984.
- e) Service of documents on the Society is effected by serving them on the Public Officer, or by serving them personally on two members of the Committee.