

*The
Constitution*



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Campbelltown District

Family History Society Inc.

ABN: 88944738687

Incorporation Number: INC9875345

As of the 5th of February 2022

Campbelltown District Family History Society Inc.

CONSTITUTION

as at 5th February 2022

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Part 1 Preliminary

1 Definitions

- 1) In this Constitution;
 - a) **the Executive Committee** is the Society's Office Bearers and shall be known as the Management Committee in this Constitution.
 - b) **the Society** means the Campbelltown District Family History Society Inc.
 - c) **ordinary Committee member** means a member of the Committee who is not an Office Bearer of the Society.
 - d) **life member** means a member nominated, seconded and voted for by Society members.
 - e) **general member** means a member who is not on the General Committee or a life member.
 - f) **secretary means;**
 - i) the person holding office under this constitution as secretary of the Society, or
 - ii) if no such person holds that office - the public officer of the Society as duly appointed.
 - g) **special general meeting** means a general meeting of the Society other than an annual general meeting.
 - h) **the Act** means the Associations Incorporation Act 2009.
 - i) **the regulation** means the Associations Incorporation Regulation 2016.
 - j) **the general committee** is the Executive Committee plus the other Ordinary Committee Members of the Society.
- 2) In this Constitution;
 - a) a reference to a function includes a reference to a power, authority and duty, and
 - b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.
 - c) The provisions of the *Interpretation Act 1987* apply to and in respect to this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

Part 2 Objects

2 The objects of the Society shall be;

- 1) The formation of a common interest group to assist members and other community members in family history research.
- 2) To establish a store of reference material including books, papers, magazines, guides and any other reference material that relates to genealogy, heraldic, historical, biographical and allied subjects.
- 3) To pursue family history related projects as a group.
- 4) To promote and encourage the study of family history and allied subjects.
- 5) To hold regular meetings at which lectures shall be given, papers read, discussions held and general business attended to.
- 6) To hold regular meetings that provide a venue for a discussion group to help solve individual problems and give each other support.
- 7) To seek funding and make submissions to outside funding bodies for the promotion of family history research.
- 8) To function as a non-profit Society.

Part 3 Membership

3 Membership Generally

- 1) A person is eligible to be a member of the Society if, but only if;
 - a) is a person who not ceased to be a member of the Society at any time after incorporation of the Society under the Act, meaning the person has not been excluded as per Clause 14, or
 - b) the person is a natural person;
 - i) who has applied for membership of the Society as provided in accordance with Clause 4,
 - ii) who has been approved for membership of the Society by the Management Committee of the Society.

4 Application for Membership

- 1) Any person may make an application for membership of the Society in accordance with By-Law 11.
- 2) Junior membership is permissible in accordance with By-law 20.

5 Nomination for Life Membership

To be eligible for life membership a member must be nominated by one general member or Life Member and seconded by another in accordance with By-law 12.

6 Nomination for Honorary Membership

Honorary Membership may be granted to a non-member of the Society on the decision of the Management Committee in the format laid out in By-law 13.

7 Cessation of Membership

- 1) A person ceases to be a member of the Society if the person;
 - a) dies, or
 - b) resigns membership, or
 - c) is expelled from the Society, or
 - d) fails to pay the annual membership fee under Clause 11 within 3 months after the fee is due.

8 Membership Entitlements not Transferable

A right, privilege or obligation which a person by reason of being a member of the Society;

- a) is not capable of being transferred or transmitted to another person, and
- b) terminates on cessation of the person's membership.

9 Resignation of Membership

1) A member of the Society is not entitled to resign that membership except in accordance with this Constitution.

2) A member of the Society who has paid all amounts payable by the member to the Society in respect of the member's membership may resign from membership of the Society by first giving to the Secretary written, (or by any other electronic means), notice of at least one month (or such other period as the Management Committee may determine) of intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

3) If a member of the Society ceases to be a member under Clause 9 (2) and in every other case where a member ceases to hold membership, the Membership Officer must make an appropriate entry in the Register of Members recording the date on which the member ceased to be a member.

10 Register of Members

1) The Membership Officer of the Society must establish and maintain a Register of Members of the Society (whether in written or electronic form) specifying the name and address of each person who is a member of the Society together with the date on which the person became a member.

2) The Register of Members

a) must be kept in New South Wales at the principal place of administration and must be open for inspection, free of charge, by any member of the Society at any reasonable hour,

b) If the Society has no premises, then at the Society's official address,

c) must contain the new member's details in accordance with this Constitution.

3) A member of the Society may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied or, if some other amount is determined by the Management Committee, that other amount.

4) If a member requests that any information contained in the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.

5) A member must not use information about a person obtained from the register to contact or send material to the person, other than for;

a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Society, or other material relating to the Society, or

b) any other purpose necessary to apply with the requirement of the Act or Regulation.

6) If the Register of Members is kept in electronic form;

a) it must be convertible into hard copy, and

b) the requirements in Clauses (2) and (3) apply as if a reference to the Register of Members is a reference to a current hard copy of the Register of Members.

11 Fees and Subscriptions

1) A member of the Society must, on admission to membership pay the Society a fee of \$1 or, if some other amount is determined by the Management Committee, that other amount.

2) In addition to any amount payable by the member under Clause 11 (1), a member of the Society must pay to the Society an annual membership of \$2 or, if some other amount is determined by the Management Committee, that other amount.

a) except as provided by Clause 11 (2) (b), before 1 July in each calendar year, or

b) if a member becomes a member on or after 1 July in any calendar year - payment is due in each succeeding calendar year.

3) Memberships from 1 April each year will also include the following year's membership.

12 Members' Liabilities

The liability of a member of the Society to contribute towards the payment of the debts and liabilities of the Society or the costs, charges and expenses of the winding up of the Society is limited to the amount, if any, unpaid by the member in respect of membership of the Society as required by Clause 11.

13 Resolution of Disputes

1) Disputes between members (in their capacity as members) of the Society or disputes between a member or members and the Society, are to be referred to a Community Justice Centre for mediation in accordance with the Community Justice Centre's Act 1983.

2) At least seven days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

3) If a dispute is not resolved by mediation within three months of the referral to a Community Justice Centre, the dispute is to be referred to arbitration.

4) The Commercial Arbitration Act 2010 applies to a dispute referred to arbitration.

14 Disciplining of Members

1) A complaint may be made to the Management Committee by any person that a member of the Society;

a) has persistently refused or neglected to comply with a provision of this Constitution,

b) has wilfully acted in a manner prejudicial to the interests of the Society.

2) The Management Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.

3) If the Management Committee decides to deal with the complaint, the Management Committee:

(a) must cause notice of the complaint to be served on the member concerned, and

(b) must give the member at least 14 days from the time the notice is served within which to make submissions to the general committee in connection with the complaint, and

(c) must take into consideration any submissions made by the member in connection with the complaint.

4) The Management Committee may, by resolution, expel the member from the Society or suspend the member from membership of the Society, if after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved, and the expulsion or suspension is warranted in these circumstances.

5) If the Management Committee expels or suspends a member, the Secretary must, within 7 days after the action is taken cause written, email or by other electronic means, notice to be given to the member of the action taken, of the reasons given by the Management Committee for taking that action and of the member's right of appeal under Clause 15.

6) The expulsion or suspension does not take effect;

a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or

b) if within that period the member exercises the right of appeal, unless and until the Society confirms the resolution under Clause 15 (5), whichever is the latter.

15 Right of Appeal of Disciplined Member

1) A member may appeal to the Society at a general meeting against a resolution of the Management Committee under Clause 14 within 7 days after notice of the resolution is served on the member by lodging with the Secretary a notice to that effect

2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

3) On receipt of a notice from a member under Clause 15 (1) the Secretary must notify the Management Committee which is to convene a special general meeting of the Society to be held within 28 days after the date on which the Secretary received the notice.

4) At a special general meeting of the Society convened under Clause 15 (3);

a) no business other than the question of the appeal is to be transacted, and

b) the Management Committee and the member must be given the opportunity to state their respective cases orally or in writing or both, and

c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

5) If at the special general meeting the Society passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

6) The appeal is to be determined by a simple majority of votes cast by members of the Society.

Part 4 **The Committee**

16 **Powers of the Management Committee**

The Management Committee of the Society is subject to the Act, The Regulations and this Constitution, and to any resolution passed by the Society in general meeting the Management Committee is to control and manage the affairs of the Society. It has the power to perform all such acts and do all such things that appear to be necessary or desirable for the proper management of the affairs of the Society, and is empowered to nominate a speaker for the Annual General Meeting. Has the power to authorize the creation and deletion of Bylaws for the efficient management of the Society.

17. **Membership of committee**

(1) There is no maximum number of consecutive terms for which a general committee member may hold office.

(2) Each member of the committee is, subject to this constitution, to hold office until immediately before the election of committee members at the annual general meeting next following the date of the member's election, and is eligible for re-election.

(3) No member of the Society is to hold more than two positions. Office Bearers cannot hold two Management positions.

18 **Election of Committee Members**

(1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members:

(a) must be 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 form of the nomination), and

(b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

(2) If insufficient nominations are received to fill all vacancies on the general committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.

(3) If insufficient further nominations are received, any vacant positions remaining on the general committee are taken to be casual vacancies.

(4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

(5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

(6) The ballot for the election of office-bearers and ordinary committee members of the general committee is to be conducted at the annual general meeting in any usual and proper manner that the general committee directs.

(7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee

member of the association must be a member of the association.

Refer to By-Law 17.

19 Secretary

(1) The secretary of the Society must, as soon as practicable after being appointed as secretary, lodge notice with the Society of his or her address.

(2) It is the duty of the secretary to keep minutes (whether in written or electronic form) of:

(a) all appointments of office-bearers and members of the Management Committee, and

(b) the names of members of the Management Committee present at a Management Committee meeting or a general meeting, and

(c) all proceedings at Management Committee meetings and general meetings.

(3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

(4) The signature of the chairperson may be transmitted by electronic means for the purposes of subclause (3).

20 Treasurer

1) It is the duty of the Treasurer of the Society to ensure;

a) that all money due to the Society is collected and received and that all payments authorised by the Society are made, and

b) the correct books and accounts are kept and showing the financial affairs of the Society, including full details of all receipts and expenditure connected to the activities of the Society, and

c) the Assistant Treasurer is to resume full treasury duties should the Treasurer be absent, for any reason, for a period exceeding two weeks.

21 Casual Vacancies

For the purposes of this Constitution, a casual vacancy may occur within the Management Committee for any of the reasons listed in By-Law 23.

22 Removal of Committee Member

1) The Society in a general meeting may by resolution remove any member of the Committees from the office of the member before the expiration of the member's term of office and may by resolution appoint another person to hold that office until the expiration of the term of office of the member so removed.

2) If a member of the Committees to whom a proposed resolution referred to in Clause 21 (1) relates, makes representations in writing, email or any other electronic means, to the Secretary or President

(not exceeding a reasonable length) and requests that the representation be notified to each member of the Society, the Secretary or President may send a copy of the representations to each member of the Society or, if the representations are not so sent the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

23 Meetings and Quorum

1) The Management Committee must meet at least six times in each period of 12 months at such place and time as the Management Committee may determine, unless unforeseen circumstances prevent that. If such circumstances arise then an exemption may be arranged from Department of Fair Trading.

2) Additional meetings of the Management Committee may be convened by the President or any other member of the Management Committee.

3) Oral or written notice of a meeting of the Management Committee must be given by the Secretary to each member of the Management Committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the Management Committee) before the time appointed for the holding of the meeting.

4) Notice of a meeting given must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the Management Committee members present at the meeting unanimously agree to treat as urgent business.

5) Any three members of the Management Committee constitute a quorum for the transaction of the business of a meeting of the Management Committee.

6) No business is to be transacted by the Management Committee 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 stand adjourned to the same place and at the same hour of the same day in the following week, or next available opportunity thereafter.

7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.

8) At a meeting of the Management Committee;

a) the President or, in the President's absence the Vice President is to preside, or

b) if the President and Vice President are absent or unwilling to act, such one of the remaining members of the Management Committee as may be chosen by the members present at the meeting is to preside.

24 Delegation by Management Committee to Sub-committee

1) The Management Committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Society as the Management Committee thinks fit) the exercise of such of the functions of the Management Committee as are specified on the instrument, other than;

a) this power of delegation, and

b) a function which is a duty imposed on the Management Committee by the Act or by any other law.

2) A function of which the exercise has been delegated to a sub-committee under this Clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.

3) A delegation under this clause may be made subject to any conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

4) Despite any delegation under this Clause, the Management Committee may continue to exercise any function delegated.

5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this Clause has the same force and effect as it would have if it had been done or suffered by the Management Committee.

6) The Management Committee may, by instrument in writing, email or electronic means, revoke wholly or part any delegation under this Clause.

7) A sub-committee may meet and adjourn, as it thinks proper.

8) No sub-committee shall hold or raise or make financial transactions without prior approval from the general committee.

25 **Voting and Decisions**

1) Questions arising at a meeting of the Management Committee or of any sub-committee appointed by the Management Committee are to be determined by the majority votes of members of the Management Committee or sub-committee present at the meeting.

2) Each member present at a meeting of the Management Committee or of any sub-committee (including the person presiding at the meeting) is entitled to one vote but in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

3) Subject to Clause 23 (5) the Management Committee may act despite any vacancy on the Management Committee.

4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Management Committee or by a sub-committee appointed by the Management Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Management Committee or sub-committee.

26 **Use of Technology at Committee Meetings**

1) A Management Committee meeting may be held at two or more venues using any technology approved by the Management Committee that gives each of the general Committee's members a reasonable opportunity to participate.

2) A general committee member who participates in a Management Committee meeting using that technology, is taken to be present at the meeting and, if the member votes at the meeting, is taken to have

voted in person.

27 Appointment of Society members as Management Committee members to constitute a quorum.

1) If at any time the number of Management Committee members is less than the number required to constitute a quorum for a Management Committee meeting, the existing Management Committee members may appoint a sufficient number of members of the Society as Management Committee members to enable the quorum to be constituted.

2) A member of the Management Committee so appointed is to hold office, subject to this Constitution, until the annual general meeting next following the date of the appointment.

3) This Clause does not apply to a filling of a casual vacancy to which Clause 21 applies.

Part 5 General Meetings

28 Annual General Meetings - Holding of

1) With the exception of the first annual general meeting of the Society, the Society must at least once in each calendar year and within the period of six months after the expiration of each financial year of the Society convene an annual general meeting of its members

2) Use of Technology at General Meetings.

a) A general meeting may be held at 2 or more venues using any technology approved by the Management Committee that gives each of its members a reasonable opportunity to participate.

b) A member who participates in a general meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

29 Annual General Meetings - Calling of and Business of

1) The annual general meeting of the Society is subject to the Act and to Clause 28, to be convened on such date and at such place and time as the Management Committee thinks fit.

2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following;

a) to confirm the minutes of the preceding annual general meeting and of any special general meeting held since that meeting, and

b) to receive from the general committee reports on the activities of the Society during the last preceding financial year, and

c) to elect office bearers of the Society and ordinary members of the general committee, and

d) to receive and consider any financial statement or report required to be submitted to the members under Section 26 of the Act.

3) An annual general meeting must be specified as that type of meeting in the notice convening it.

30 Special General Meetings - Calling of

1) The Management Committee may, whenever it thinks fit, convene a special general meeting of the Society.

2) The Management Committee must, on requisition of at least 10% of the total number of members, convene a special general meeting of the Society.

3) A requisition of members for a special general meeting;

a) must be in writing, or any other form of electronic means, and

b) must state the purpose or purposes of the meeting, and

c) must be signed by the members making the requisition, and

- d) must be lodged with the Secretary, and
- e) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

4) If the Management Committee fails to convene a special general meeting to be held within 1 month after the date on which the requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

5) A special general meeting convened by a member or members as referred to in Clause 30 (4) must be convened as nearly as practicable in the same manner as general meetings are convened by Management Committee.

6) For the purposes of Clause 30 (3);

- a) a requisition may be in electronic form, and
- b) a signature may be submitted and a requisition may be lodged by electronic means.

31 Notice

1) Except if the nature of business proposed to be dealt with at a general meeting requires a special resolution of the Society, the Secretary must at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of business proposed to be transacted at the meeting.

2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Society, the Secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying in addition to the matter required under Clause 29 (1) the intention to propose the resolution as a special resolution.

3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except in the case of an annual general meeting, business may be transacted under Clause 31 (2)

4) A member desiring to bring any business before a general meeting may give notice in writing, email or any other electronic means, of that business to the Secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

32 Quorum of General Meetings

1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this Constitution to vote is present during the time the meeting is considering that item.

2) Twenty or 30% (whichever is the least) of Society members present in person (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of the business at a general meeting.

3) If within half an hour of the appointed time for the commencement of a general meeting a quorum is not present, the meeting;

a) if convened on the requisition of members, is to be dissolved, and

b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written, or electronic means, notice to members given before the day to which the meeting is adjourned) at the same place.

4) If at an adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 6) are to constitute a quorum.

33 Presiding Member

1) The President or, in the President's absence, the Vice President is to preside as chairperson at each general meeting of the Society.

2) If the President and Vice President are absent or unwilling to act, the members must elect one of their number to preside as chairperson at the meeting.

34 Adjournment

1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of the members present at 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) If a general meeting is adjourned for 14 days or more, the Secretary must give written or oral notice of the adjourned meeting to each member of the Society stating the place, date and time of the meeting and the nature of business to be transacted at the meeting.

3) Except as provided in Clause 34 (1) and (2) notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

35 Making of decisions

1) A question arising at a general meeting of the Society is to be determined by;

a) a show of hands, or if the meeting is one to which Clause 25 applies, any appropriate corresponding method that the Management Committee may determine, or

b) If on the motion of the chairperson or if five or more members present at that meeting decide that the question should be determined by a written ballot - a written ballot.

2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Society, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

3) Clause 35 (2) applies to a method determined by the Management Committee Clause 35 (1) (a) in the same way it applies to a show of hands.

4) If the question is to be determined by a written ballot, the ballot is to be conducted in

accordance with the directions of the Chairperson.

36 Special Resolutions

A resolution of the Society is a special resolution that can only be passed by the Society in accordance with Section 39 of the Act.

37 Voting

- 1) On any question arising at a general meeting of the Society a member has one vote only.
- 2) If in the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- 3) A member is not entitled to vote at any general meeting of the Society unless all money due and payable by the member to the Society has been paid, other than the amount of the annual subscription payable in respect of the then current year.
- 4) A member under the age of 18 years is not entitled to vote at any general meeting of the Society in accordance with By-Law 20.

38 Proxy Voting not permitted

Proxy voting must not be undertaken at or in respect of Society meetings.

39 Postal or Electronic Ballots

- 1) The Society may hold a postal or electronic ballot (as the Management Committee determines) to determine an issue or proposal other than an appeal under Clause 15.
- 2) A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.

Part 6 Miscellaneous

40 Insurance

The Society may effect and maintain insurance as authorised by the management Committee.

41 Funds - Source

1) The funds of the Society are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Society in general meeting, such other sources as the Management Committee determines.

2) All money received by the Society must be deposited as soon as practicable and without deduction to the credit of the Society's bank or other authorised deposit-taking institution account.

3) The Society must, as soon as practicable after receiving any money, issue an appropriate receipt.

42 Funds Management

1) Subject to any resolution passed by the Society in general meeting, the funds of the Society are to be used solely in pursuance of the Objects of the Society in such manner as the Management Committee determines.

2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments or other payment methods, must be signed / approved by any two General Committee members authorised to do so by the Management Committee.

3) If spouse/partners hold office in the Society at the same time, then whilst either or both can be authorised signatories on behalf of the Society, the signing of the same cheque by both parties is strictly prohibited.

43 Society is Not for Profit

1) Subject to the Act and the Regulations, the Society must apply its funds and assets solely in pursuance of the objects of the Society, and must not conduct its affairs so as to provide a pecuniary gain for any of its members.

2) Pecuniary gain is not permitted within the Society.

44 Distribution of property of Winding up of Society

1) Subject to the Act and the Regulations, in the winding up of the Society, any surplus property of the Society is to be transferred to another organisation with similar objects and which is not carried on for the profit or, gain for its individual members.

2) Within these Clauses, a reference to the surplus property of the Society is a reference to that property of the Society remaining after satisfaction of the debts and liabilities of the Society and the costs, charges and expenses of the winding up of the Society.

45 Alteration of Name, Objects, Constitution and By-Laws

1) The statement of Objects and this Constitution may be altered, rescinded or added only by a special resolution of the Society.

2) An application for registration of a change of the Society's name, Objects or Constitution in accordance with Section 10 of the Act is to be made by the Public Officer or a Management Committee member.

3) Amendments to the Society's By-Laws shall be submitted to the Secretary in accordance with By-Law 16.

46 Logos

1) The Society may, at the discretion of the Management Committee, approve logos or such kind for the use on official Society letterhead and other such documents as sees fit.

2) Logos accepted by the Management Committee must be presented at a general meeting of the Society for voting upon.

3) The vote is to be passed by a simple majority of members present and entitled to vote.

47 Custody of Books etc.

Except as otherwise provided by this Constitution the Public Officer must keep in his/her control all records, books and other documents relating to the Society, and must be kept in New South Wales.

48 Inspection of Books etc.

1) The following documents must be open to inspection free of charge, by a member of the Society at any reasonable hour;

- a) records, books and other financial documents of the Society,
- b) this Constitution and its By-Laws.
- c) minutes of all Management Committee meetings and general meetings of the Society.

2) A member of the Society may obtain a copy of any of the documents referred to in Clause 46 (1) on payment of a fee of not more than \$1 for each page copied.

3) Despite Clause 48(1) and (2), the Management Committee may refuse to permit a member of the Society to inspect or to obtain a copy of the Society books that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Society.

49 Service of Notices

1) For the purpose of this Constitution, a notice is taken, unless the contrary is proved, to have been given or served;

a) in the case of a notice given or served personally on the date on which it is received by the addressee, and

b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and

c) In case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent,

produces a report indicating that the notice was sent on the later date, on that date.

50 Destruction of Society Records

The schedule for destruction of Society records that are not of genealogical usefulness, shall be two years, excepting where these records are financial in nature and are then to be kept for an indefinite period. All genealogically useful records are to be archived and kept indefinitely.

51 Financial year

The financial year of the Society is;

- 1) the period of time commencing on the date of incorporation of the Society and ending on the following 30 June, and
- 2) each period of 12 months after the expiration of the previous financial year of the Society, commencing on 1 July and ending on the following 30 June.

52 Archives

1) The Vice President shall be responsible for the raising and maintaining of a permanent and general archive system in accordance with By-Law 14.

2) Subject to any change or amendments to Clause 52 the Vice President is responsible for archiving, by using a system of a new website developed solely for that purpose.

53 Register of Assets

The Society shall raise and maintain a Register of Assets as determined by the Management Committee. See By-Law 19.