

MOUNT STUART RESIDENTS INC

(formerly Mount Stuart Progress Association Inc)

CONSTITUTION (2015)

1) Name

The Name of the Association shall be "Mount Stuart Residents Inc." (hereinafter called the Association)

2) Aims & Objects

The aim of the Association is to further the interests and community well-being of the Mount Stuart area and its residents.

In pursuing this aim the Association may:

- act as a forum for dissemination of information and for consideration of relevant matters;
- represent the views and interests of residents and the community;
- organise and support activities that promote community wellbeing;
- acquire and maintain such property as may be considered necessary to meet its aim.

3) Membership

Membership of the Association shall be open to all adult residents and property owners of the suburb of Mount Stuart as currently defined in the Central Plan Register held by the Lands and Titles Office, Tasmania.

Also, membership may include up to two representatives of other organisations based in Mount Stuart at the discretion of the Executive Committee.

4) Subscription

The Annual Subscription shall be such amount as the Executive Committee may determine from time to time. Subscriptions are due on the 1st January each year and a member shall be considered to be unfinancial if not paid by 30th June following.

If no subscription is declared, then all adult residents of Mount Stuart will be considered financial members of the Association.

5) Office Bearers

Office Bearers shall be financial members of the Association and shall be elected at an Annual General Meeting and shall hold office until the closure of the next Annual General Meeting. Office Bearers will be as follows:

- President
- Secretary
- Treasurer
- Public Officer

6) Executive Committee

The Annual General Meeting shall elect an Executive Committee comprising the President, Secretary, Treasurer and up to nine (9) other members of the Association, including up to two representatives of approved local organisations.

Mount Stuart Residents Inc Constitution (cont)

The Executive Committee shall have the power to co-opt such other person or persons as it deems fit.

The Executive Committee shall meet within five (5) weeks of the Annual General Meeting and thereafter at least bi-monthly.

7) Sub-Committees

The Executive Committee may at its first meeting after its election appoint such other sub-committees as it sees fit and may give such sub-committees power to co-opt any other person or persons.

8) Elections

Nominations, duly proposed and seconded for all positions may be submitted in writing prior to the Annual General Meeting with the necessary acceptance of nomination signed by the nominee. Alternatively, nominations may be made and accepted verbally or in writing at the Annual General Meeting.

9) Meetings

Annual General Meetings and Special General Meetings shall be open to all financial members.

Written notice of Annual General Meetings and special General Meetings shall be given to residents of Mount Stuart and Executive Committee members at least three (3) days before the date set down for such meetings.

The Annual General Meeting shall be held in March or April each year.

A Special General Meeting shall be called:

- a. at the direction of the Executive Committee, or
- b. upon presentation to the Secretary of a petition requiring the calling thereof and signed by at least 10 members of the association.

10) Quorums

A quorum shall consist of 12 financial members of the Association in the case of all Annual and Special General Meetings.

In the event of insufficient members attending a General Meeting within half an hour of the scheduled start of such meeting, the chairman shall inform those present of his inability to commence proceedings. He may immediately give notice of a further meeting to conduct the same business to be held not earlier than one week or later than two weeks after the first meeting and such meeting shall proceed with the business irrespective of the number of persons present.

A quorum for all Executive Committee meetings shall consist of half the number of members of the Executive Committee.

In the event of there being insufficient members to make a quorum at an Executive Committee meeting, the business may be discussed by those present and brought forward for confirmation at the next meeting.

11) Rules of Debate

Where not otherwise specified, the rules of debate used by Rostrum shall apply. Unless a motion is seconded, discussion shall lapse and the next business shall be proceeded with.

Only one amendment at a time shall be received and dealt with. If a further amendment is contemplated notice of such intention may be foreshadowed.

12) Finance

The Treasurer shall keep all the usual books of account.

Bank accounts shall be conducted with an Australian Bank as defined in the Banking Act 1959. All withdrawals shall be authorised by any two of the President, Secretary or Treasurer of the Association or other Executive Committee members as authorised by the Executive Committee.

Investments shall be made only in Trustee Investments as specified in the Trustee Act (1898) as amended.

The financial year shall be from 1st January to 31st December.

All expenditure and investments must be ratified by the Executive Committee.

The Treasurer shall produce:

- Statements of the financial position of the Association if required at any Special General Meeting;
- Financial Statements as at the end of the financial year, audited in accord with the Associations Incorporation Act 1964, as amended, to the next Annual General Meeting.
- Such statements as the Executive Committee shall require from time to time.

All monies received on behalf of the Association shall be paid directly into the Association's banking account and all payments shall be made from that account, except that payments of less than \$100.00 may be paid in cash from petty cash holdings.

Petty cash holdings may be held by the Secretary or Treasurer or other officers authorised by the Executive Committee.

13) Non-Profit Clause

The assets and income of the organisation shall be applied solely in furtherance of its objectives and no portion shall be distributed directly or indirectly to the members of the organisation except as bona-fide compensation for services rendered or expenses incurred on behalf of the organisation.

14) Life Members

Any member of the association who has given outstanding service to the community may be elected to life membership at an Annual General Meeting upon the recommendation of the Executive Committee.

The number of Life Members shall not at any time exceed seven (7).

Any notice of election to life membership shall include the names of the then Life Members.

The Secretary shall keep a register of all Life Members.

15) Delegates and Affiliation

The Executive Committee may nominate up to three delegates to kindred or community organisations as it sees fit.

16) By-Laws

The Executive Committee may make By-Laws governing the letting and management of any real or personal property under its control and the conduct of such persons using same.

17) Honoraria

Any Annual General Meeting may approve the payment of Honoraria to the Secretary and/or Treasurer.

18) Alterations to Constitution and Rules

No amendment shall be made to the Constitution and Rules unless the same is agreed to by at least three-quarters of those members present in General Meetings and provided that such notice of motion has been given at the General Meeting immediately preceding and the text of such motion has been notified to members in writing at least three days prior to the meeting to which it is to be submitted.

19) Winding-Up

The Association may be wound up at any General Meeting if it is agreed to by not less than three-quarters of those members present at the meeting provided that members had been notified of such intention in writing at least three days prior to the meeting to which it is to be submitted.

In the event of the Association being dissolved, any assets which remain after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the Association in accordance with its powers to any fund, institution or authority which is a non-profit organisation, with preference to be given to organisations based in the Mount Stuart area.

20) Financial Liability of Members in the Event of being Wound Up

In the event of the Association being wound up:

- a. every member of the Association, and
- b. every member who, within the period of twelve months immediately preceding the commencement of winding up, was a member of the Association

is not liable to contribute to the assets of the Association for payment of the debts or liabilities of the Association nor for the costs, charges, and expenses of the winding up. Neither is a former member liable to contribute in respect of any debt or liability of the Association contracted after he ceased to be a member.

21) Associations Incorporation (Model Rules) Regulations

The Associations Incorporation (Model Rules) Regulations 2007 as amended shall apply to the Association except where inconsistent with Clauses 1 to 20 of the Constitution and Rules of the Association.