



Part 1 – Preliminary

1. Definitions

(1) In this Constitution:

Director-General means the Director-General of the *Department of Services, Technology and Administration*.

Ordinary Committee member means a member of the Committee who is not an office-bearer of the *City of Grafton Eisteddfod Society*.

Secretary means:

- (a) The person holding office under this Constitution as Secretary of the *City of Grafton Eisteddfod Society*, or
- (b) If no such person holds that office – the Public Officer of the *City of Grafton Eisteddfod Society*.

Special general meeting means a general meeting of the *City of Grafton Eisteddfod Society* other than an Annual General Meeting.

The Act means the *Associations Incorporation Act 2009*.

The Regulation means the Associations Incorporation Regulation 2010.

(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.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.

Part 2 – Membership

2. Membership Generally

- (1) A person is eligible to be a member of the *City of Grafton Eisteddfod Society* if:
 - a) the person is a natural person; and
 - b) the person has been nominated and approved for membership of the *City of Grafton Eisteddfod Society*.
- (2) A person is taken to be a member of the *City of Grafton Eisteddfod Society* if:
 - a) the person is a natural person; and
 - b) the person was a member of that unincorporated body immediately before the registration of the *City of Grafton Eisteddfod Society* .
- (3) A person is taken to be a member of the *City of Grafton Eisteddfod Society* if the person was one of the individuals on whose behalf an application for registration of the *City of Grafton Eisteddfod Society* under Section 6 (1) (a) of the Act was made.

3. Nomination for Membership

- (1) A nomination of a person for membership of the *City of Grafton Eisteddfod Society*:
 - a) must be made by a member of the association, in writing, in the form set out in Appendix 1 to this Constitution; and
 - b) must be lodged with the Secretary of the *City of Grafton Eisteddfod Society* .
- (2) As soon as practicable after receiving a nomination for membership, the Secretary must refer the nomination to the Committee which is to determine whether to approve or reject the nomination.
- (3) As soon as practicable after the Committee makes that determination, the Secretary must:
 - a) notify the nominee, in writing, that the Committee approved or rejected the nomination (whichever is applicable); and
 - b) if the Committee approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under this Constitution by a member as entrance fee and annual subscription.
- (4) The Secretary must, on payment by the nominee, enter or cause to be entered the nominee's name in the *Register of Members* and, on the name being entered, the nominee becomes a member of the *City of Grafton Eisteddfod Society*.

4. Membership Entitlements Not Transferable

- (1) A right, privilege or obligation which a person has by reason of being a member of the *City of Grafton Eisteddfod Society*:
 - a) is not capable of being transferred or transmitted to another person; and
 - b) terminates on cessation of the person's membership.

5. Cessation of membership

- (1) A person ceases to be a member of the *City of Grafton Eisteddfod Society* if the person:
 - a) dies; or
 - b) resigns membership; or
 - c) is expelled from the *City of Grafton Eisteddfod Society*; or
 - d) fails to pay the annual membership fee within 3 months after the date the fee is due.

6. Resignation of Membership

- (1) A member of the *City of Grafton Eisteddfod Society* may resign from membership of the *City of Grafton Eisteddfod Society* by first giving the Secretary written notice of at least 1 month of the member's intention to resign, and on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of the *City of Grafton Eisteddfod Society* ceases to be a member under sub-clause (1), and in every other case where member ceases to hold membership, the Secretary must make an appropriate entry in the *Register of Members* recording the date on which the member ceased to be a member.

7. Register of Members

- (1) The Public Officer of the *City of Grafton Eisteddfod Society* must establish and maintain a *Register of Members* of the *City of Grafton Eisteddfod Society*, specifying for each person who is a member of the *City of Grafton Eisteddfod Society* the:
 - a) name;
 - b) postal and/or residential address;
 - c) phone number;
 - d) email address (if applicable);
 - e) the date on which the person became a member; and
 - f) the date on which the person ceased to be a member.
- (2) The *Register of Members* must be kept in New South Wales:
 - a) at the main premises of the *City of Grafton Eisteddfod Society*; or
 - b) if the *City of Grafton Eisteddfod Society* has no premises, at the *City of Grafton Eisteddfod Society*'s official address.
- (3) The *Register of Members* must be open for inspection, free of charge, by any member of the *City of Grafton Eisteddfod Society* at any reasonable time.
- (4) A member of the *City of Grafton Eisteddfod 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.
- (5) If a member requests that any information contained on 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.

- (6) 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 *City of Grafton Eisteddfod Society*, or other material relating to the *City of Grafton Eisteddfod Society*; or
 - b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

8. Fees and subscriptions

- (1) A member of the *City of Grafton Eisteddfod Society* must, on admission to membership, pay to the *City of Grafton Eisteddfod Society* the annual membership fee.
- (2) A member of the *City of Grafton Eisteddfod Society* must pay to the *City of Grafton Eisteddfod Society* the annual membership fee before or at the time of the *City of Grafton Eisteddfod Society*'s Annual General Meeting.
- (3) The annual membership fee is to be reviewed and set (confirmed or altered) annually at the *City of Grafton Eisteddfod Society*'s Annual General Meeting.

9. Members' Liabilities

- (1) The liability of a member of the *City of Grafton Eisteddfod Society* to contribute towards the payment of debts and liabilities of the *City of Grafton Eisteddfod Society* or the costs, charges and expenses of the winding up of the *City of Grafton Eisteddfod Society* is limited to the amount, if any, unpaid by the member in respect of membership of the *City of Grafton Eisteddfod Society* (as required in clause 8).

10. Resolution of Disputes

- (1) Every effort should be made to resolve disputes between members of the *City of Grafton Eisteddfod Society* internally and informally. Where necessary, a member of the Committee can be asked to mediate.
- (2) If a dispute between a member and another member of the *City of Grafton Eisteddfod Society*, or a dispute between a member or members and the *City of Grafton Eisteddfod Society*, can't be resolved by informal means, it is to be referred to a community justice centre for mediation under the *Community Justice Centres Act 1983*.
- (2) If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.
- (3) The *Commercial Arbitration Act 1984* applies to any such dispute referred to arbitration.

11. Disciplining of Members

- (1) A complaint may be made to the Committee, by any person, that a member of the *City of Grafton Eisteddfod Society*:

- a) has refused or neglected to comply with a provision or provisions of this Constitution; or
 - b) has willfully acted in a manner prejudicial to the interests of the *City of Grafton Eisteddfod Society* .
- (2) The Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the Committee decides to deal with the complaint, the 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 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 Committee may, by resolution, expel the member from the *City of Grafton Eisteddfod Society* or suspend the member from membership of the *City of Grafton Eisteddfod 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 the circumstances.
- (5) If the Committee expels or suspends a member, the Secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the Committee for having taken that action and of the member's right of appeal under clause 12.
- (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 *City of Grafton Eisteddfod Society* confirms the resolution under clause 12, whichever is the later.

12. Right of Appeal of Disciplined Member

- (1) A member may appeal to the *City of Grafton Eisteddfod Society* in a general meeting against a resolution of the Committee under clause 11, within 7 days after the 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 sub-clause (1), the Secretary must notify the Committee which is to convene a general meeting of the *City of Grafton Eisteddfod Society* to be held within 28 days after the date on which the Secretary received the notice.

- (4) At a general meeting of the *City of Grafton Eisteddfod Society* convened under sub-clause (3):
- a) no business other than the question of the appeal is to be transacted; and
 - b) the 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) The appeal is to be determined by a simple majority of votes cast by members of the *City of Grafton Eisteddfod Society*.

Part 3 – The Committee

13. Powers of the Committee

- (1) Subject to the Act, the Regulation and this Constitution and to any resolution passed by the *City of Grafton Eisteddfod Society* in general meeting, the Committee:
- a) is to control and manage the affairs of the *City of Grafton Eisteddfod Society*; and
 - b) may exercise all such functions as may be exercised by the *City of Grafton Eisteddfod Society*, other than those functions that are required by this Constitution to be exercised by a general meeting of members of the *City of Grafton Eisteddfod Society*; and
 - c) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the *City of Grafton Eisteddfod Society*.

14. Composition and Membership of Committee

- (1) The Committee is to consist of:
- a) the office-bearers of the *City of Grafton Eisteddfod Society*; and
 - b) at up to 3 ordinary members (optional), each of whom is to be elected at the Annual General Meeting of the *City of Grafton Eisteddfod Society* under clause 15.
- (2) The maximum total number of Committee members is to be seven (7).
- (3) The office-bearers of the *City of Grafton Eisteddfod Society* are as follows:
- a) President;
 - b) Vice-president;
 - c) Treasurer; and
 - d) Secretary.
- (4) A Committee member may hold up to two offices (other than both the President and Vice-president offices).
- (5) Each member of the Committee is, subject to this Constitution, to hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.

15. Election of Committee Members

- (1) Nominations of candidates for election as office-bearers of the *City of Grafton Eisteddfod Society* or as ordinary Committee members:
 - a) must be made in writing, signed by two members of the *City of Grafton Eisteddfod Society* 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 *City of Grafton Eisteddfod Society* 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 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 Committee are taken to be casual vacancies.
- (4) If the number of nominations is equal to the number of vacancies to be filled, the person's 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 Committee is to be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary Committee member of the *City of Grafton Eisteddfod Society* must be a member of the *City of Grafton Eisteddfod Society*.

16. President

- (1) The role of the President of the *City of Grafton Eisteddfod Society* is to provide leadership for the Society and the Committee, ensure good governance, and the overall success of the Society. The President is the main spokesperson for the Society and works to maintain key relationships within and outside of the Society.
- (2) The duties of the President include but are not limited to:
 - a) Chairperson: Chairing Committee meetings, ensuring that they are run efficiently and effectively;
 - b) Signatory: Acting as a signatory for the Society in all legal purposes and financial purposes.
 - c) Oversight: Regularly focusing the Committee's attention on matters of Society's governance that relate to its own structure, role and relationships. This includes working with the Committee to ensure:
 - i. the necessary skills are represented on the Committee, and a succession plan is in place to help find new Committee members when required;

- ii. goals and relevant strategic and business plans are developed, reviewed and updated in order to achieve the goals of the Society.
- d) Representation: Serving as a spokesperson and representative for the Society.
- e) Liaison: Assisting in the development of partnerships with sponsors, funding agencies, local and State government, shared facility users, and organisations that are relevant to the goals of the Society.

17. Vice-president

- (1) The role of the Vice-president of the *City of Grafton Eisteddfod Society* is to assist the President to fulfill their responsibilities.
- (2) The duties of the Vice-president include but are not limited to:
 - a) Stand-in: Filling-in for the President if they are temporarily unable to fulfil their duties (eg chairing Committee meetings);
 - b) Assistant: Assisting the President by undertaking tasks and duties as nominated by them and/or the Committee.

18. Secretary

- (1) The role of the Secretary is to be the primary administration officer of the Committee, and the link between the Committee, members and outside agencies. The Secretary's tasks fall into the areas of managing correspondence, publicity, meetings, documentation, and the office.
- (2) The duties of the Secretary include but are not limited to:
 - Communications: Handling the official correspondence of the organization (paper and electronic), maintaining mailing lists, keeping the organization's website and publicity material current, and preparing publicity strategies and materials.
 - Committee meetings : Assisting the Chairperson plan and organise meetings, preparing and circulating agendas and related papers, taking accurate minutes of meetings, circulating approved minutes, and following-up on agreed actions.
 - Registers. Maintaining required lists and Registers and related information - such as Registers of Membership, Volunteers, Sponsors and Donors, Occupational Health and Safety incidents, assets. This includes ensuring relevant Police Check records or Working with Children documentation are collected and filed.
 - Annual Report: Drafting Business Improvement Plans and Annual Reports, and other strategic documents required by the Committee.
 - Applications: Drafting applications for grants / funding from local, State and Federal bodies. Processing applications for membership, volunteering, sponsorship and access to Society records.
 - Office Management: Managing the physical office of the Society – including stationary, equipment, filing and record keeping. Ensuring that the records of the Society are maintained as required by law and made available when required by authorised persons. These records may include founding documents, lists of Committee members, Committee meeting Minutes, financial reports, and other official records.

- (1) The Secretary of the *City of Grafton Eisteddfod Society* must, as soon as practicable after being appointed as Secretary, lodge notice with the *City of Grafton Eisteddfod Society* of his/her address.
- (2) It is the duty of the Secretary to keep minutes of:
 - a) all appointments of office-bearers and members of the Committee; and
 - b) the names of members of the Committee present at a Committee meeting or a general meeting; and
 - c) all proceedings at 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.

19. Treasurer

- (1) The role of the Treasurer is financial administration and supervision of the Society. The Treasurer's responsibilities include the preparation of annual budgets, planning for the Society's financial future, monitoring the Society's revenue and expenditure, and keeping accurate and complete records of the Society's revenue, expenditure and investments.
- (2) The duties of the Treasurer include but are not limited to:
 - a) Financial Governance: Ensuring appropriate financial policies and procedures are in place, and that these are legal, used and effective.
 - b) Money Handling. Ensuring all money due to the Society is collected, receipting all incoming monies; banking all monies received; paying all accounts authorised by the Society; ensuring that all receipts and payments concur with bank deposits and withdrawals; arranging and despatching authorised invoices for payment, and being a signatory on Society accounts and investments.
 - c) Record Keeping: Maintaining accurate and complete records of all the Society's income, investments and expenditure, with appropriate levels of detail.
 - d) Reporting: Preparing monthly financial reports and presenting them at Committee meetings.
 - e) Financial Planning and Review. Providing advice to the Committee in their management of the Society's finances. Leading the annual budget process, including drafting an appropriate annual budget for Committee's approval. Supporting required auditing processes.

20. Casual Vacancies

- (1) In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the Society to fill the vacancy, and the member so appointed is to hold office, subject to this Constitution, until the conclusion of the Annual General Meeting next following the date of the appointment.

21. Removal of Committee Members

- (1) The *City of Grafton Eisteddfod Society* in general meeting may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

22. Committee Meetings and Quorum

- (1) The Committee must meet at least three times in each period of 12 months at such place and time as the Committee may determine.
- (2) Additional meetings of the Committee may be convened by the President or by any member of the Committee.
- (3) Oral or written notice of a meeting of the Committee must be given by the Secretary to each member of the Committee at least 48 hours before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under sub-clause (3) 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 Committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any three members of the Committee constitute a quorum for the transaction of the business of the meeting of the Committee.
- (6) No business is to be transacted by the 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 be held within following two weeks.
- (7) If at the adjourned meeting a quorum is not present within half an hour of time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the Committee:
 - a) the President or, in the President's absence, the Vice-president is to preside; or
 - b) if the President and the Vice-president are both absent or unwilling to act, such one of the remaining members of the Committee as may be chosen by the members present at the meeting is to preside.

23. Delegation by Committee to Sub-committee

- (1) The Committee may, by instrument in writing, delegate to one or more sub-Committees (consisting of such member or members of the *City of Grafton Eisteddfod Society* as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than:
 - a) this power of delegation; and
 - b) a function which is duty imposed on the Committee by the Act or by any other law.

- (2) A function the exercise of which 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 such 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 Committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by sub-Committee acting in the exercise of delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Committee.
- (6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (7) A sub-Committee may meet and adjourn as it thinks proper.

24. Voting and decisions

- (1) Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee are to be determined by a majority of the votes of members of the Committee or sub-Committee present at the meeting.
- (2) 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 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 20 (5), the Committee may act despite any vacancy on the Committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-Committee appointed by the Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-Committee.

Part 4 – General meetings

25. Annual General Meetings – Holding of

- (1) The association must hold its Annual General Meetings:
 - a) within 6 months after the close of the association's financial year; or
 - b) within such later time as may be allowed by the Director-General or prescribed by the Regulation.

26. Annual General Meeting – Calling of and Business

- (1) The Annual General Meeting of the *City of Grafton Eisteddfod Society* is, subject to the Act and to clause 23, to be convened on such date and at such place and time as the Committee sees 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 last proceeding Annual General Meeting and of any special general meeting held since that meeting;
 - b) to receive from the Committee reports on the activities of the *City of Grafton Eisteddfod Society* during the last proceeding financial year;
 - c) elect office-bearers of the association and ordinary Committee members;
 - d) to receive and consider any financial statement or report required to be submitted to members under the Act.
- (3) An Annual General Meeting must be specified as such in the notice convening it.

27. Special General Meetings – Calling Of

- (1) The Committee may, whenever it thinks fit, convene a special general meeting of the *City of Grafton Eisteddfod Society*.
- (2) A requisition of members for a special general meeting:
 - a) must state the purpose or purposes of the meeting; and
 - b) must be signed by the members making the requisition; and
 - c) must be lodged with the Secretary; and
 - d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (3) If the Committee fails to convene a special general meeting to be held within 1 month after that date on which a 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.
- (4) The special general meeting convened by a member or members as referred to in sub-clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee

28. Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the *City of Grafton Eisteddfod 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 the 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 association, 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 sub-clause (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 which may be transacted under clause 24 (2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing 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.

29. Quorum for 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 the item.
- (2) Five members present (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of business of a general meeting. Members may be present either in person, via telephone conference call, or video conference (eg Skype).
- (3) If within half an hour after 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 case, is to stand adjourned within the next 2 weeks, to be communicated by written notice to members.
- (4) If at the 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 three) are to constitute a quorum.

30. 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 *City of Grafton Eisteddfod Society*.
- (2) If the President and the Vice-president are both absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

31. 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) Except as provided in sub-clause (1), notice of an adjournment of a general or of the business to be transacted at an adjourned meeting is not required to be given.

32. Making of Decisions

- (1) A question arising at a general meeting of the *City of Grafton Eisteddfod Society* is to be determined by either:
 - a) a show of hands; or
 - b) a motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by 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 a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that fact in the minute book of the *City of Grafton Eisteddfod Society*, is evidence of the fact without proof of the number or proportion of votes recorded in favour of or against that resolution.
- (3) 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.

33. Special Resolutions

- (1) A special resolution may only be passed by the association in accordance with section 39 of the Act.

34. Voting

- (1) On any question arising at a general meeting of the *City of Grafton Eisteddfod Society* a member has one vote only.
- (2) 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 vote or casting vote.
- (3) A member is not entitled to vote at any general meeting of the *City of Grafton Eisteddfod Society* unless all money due and payable by the member to the *City of Grafton Eisteddfod Society* has been paid.
- (4) A member is not entitled to vote at a general meeting of the *City of Grafton Eisteddfod Society* if the member is under 16 years of age.

35. Proxy Votes Not Permitted

- (1) Proxy voting must not be undertaken at or in respect of a general meeting.

36. Postal Ballots

- (1) The association may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 12).

- (2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

Part 5 – Miscellaneous

37. Insurance

- (1) The *City of Grafton Eisteddfod Society* may effect and maintain insurance.

38. Funds – Source

- (1) The funds of the *City of Grafton Eisteddfod Society* are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the Committee determines.
- (2) All money received by the *City of Grafton Eisteddfod Society* must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The *City of Grafton Eisteddfod Society* must, as soon as practicable after receiving any money, issue an appropriate receipt.

39. Funds – Management

- (1) Subject to any resolution passed by the *City of Grafton Eisteddfod Society* in general meeting, the funds of the *City of Grafton Eisteddfod Society* are to be used in pursuance of the objects of the *City of Grafton Eisteddfod Society* in such manner as the Committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two members of the Committee, being members authorised to do so by the Committee.
- (3) Audit to occur annually:
- a) the auditor shall be elected at the Annual General Meeting. They shall examine all accounts, receipts, books etc and furnish a report to the Committee for the Annual General Meeting;
 - b) the auditor shall not be a member of the Committee;
 - c) where the auditor submits a resignation, the Secretary is to be notified of his/her intention not to seek re-election as auditor.
- (4) The common seal of the *City of Grafton Eisteddfod Society* is to be retained by the Public Officer at all times.
- a) The common seal shall not be affixed to any documents except by the authority of the Committee; and
 - b) affixing of the common seal is to be attested by the signatures of either members of the Committee or 1 member of the Committee and the Public Officer or Secretary.

40. Change of Name, Objects and Constitution

- (1) An application to the Director-General for registration of a change in the *City of Grafton Eisteddfod Society's* name, objects or Constitution in accordance with section 10 of the Act is to be made by the Public Officer or a Committee member.

41. Custody of Books etc.

- (1) Except as otherwise provided by this Constitution, the Public Officer must keep in his/her custody or under his/her control all records, books and other documents relating to the *City of Grafton Eisteddfod Society*.

42. Inspection of Books etc.

- (1) The following documents must be open to inspection, free of charge, by a member of the *City of Grafton Eisteddfod Society* at any reasonable time:
 - a) records, books and other financial documents of the *City of Grafton Eisteddfod Society*;
 - b) this Constitution;
 - c) minutes of all Committee meetings and general meetings of the *City of Grafton Eisteddfod Society*.
- (2) A member of the *City of Grafton Eisteddfod Society* may obtain a copy of any of the documents referred to in sub-clause (1) on payment of fee of not more than \$1 for each page copied.

43. Service of Notices

- (1) For the purpose of this Constitution, a notice may be served on or given to a person:
 - a) by delivering it to the person personally; or
 - b) by sending it by pre-paid post to the address of the person; or
 - c) by sending it by facsimile transmission, email or electronic transmission to an address specified by the person for giving or serving the notice.

44. Financial Year

- (1) The financial year of the *City of Grafton Eisteddfod Society* is each period of 12 months after the expiration of the previous financial year of the *City of Grafton Eisteddfod Society* , commencing on 1 July and ending on the following 30 June.



Appendix 1

APPLICATION FOR MEMBERSHIP
City of Grafton Eisteddfod Society

I, _____
(full name of applicant)

of _____
(address)

hereby apply to become a member of the City of Grafton Eisteddfod Society .

In the event my admission as a member, I agree to be bound by the Constitution of the City of Grafton Eisteddfod Society for the time being in force.

Signature of applicant / Date

I, _____
a member of the City of Grafton Eisteddfod Society, nominate the applicant for membership of the City of Grafton Eisteddfod Society .

Signature of proposer / Date

I, _____
a member of the City of Grafton Eisteddfod Society, second the nomination of the applicant for membership of the City of Grafton Eisteddfod Society .

Signature of seconder / Date

Membership paid [] Yes [] No
Criminal Statutory Declaration completed [] Yes [] No