

SYDNEY – CENTRAL COAST A VAN GROUP
INCORPORATED

ABN 62 842 468 219



CONSTITUTION

**This constitution has been prepared in accordance with the Associations Incorporations Act 1984
and the Associations Incorporation Regulation 1999, as amended.**

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Part 1 – Preliminary

1. Definitions.

1.1 In these rules:

- (a) **Commissioner means** - the Commissioner of the Office of Fair Trading.
- (b) **Group means** – The Sydney – Central Coast A Van Group Incorporated.
- (c) **Committee member means** – a member who has been elected to the committee in accordance with clause 15.4 and rule 16.
- (d) **Ordinary committee member means** - a member of the committee who is not an office-bearer of the Group, as referred to in clause 15.2
- (e) **Secretary means** - the person holding office under these rules as Secretary of the Group or if no such person holds that office – the Public Officer of the Group.
- (f) **Annual General meeting means** – a meeting of the Group held once annually to receive annual reports, elect a new Committee and such other business in accordance with clause 26.2
- (g) **Special General Meeting means** - a meeting of the Group other than the annual general meeting.
- (h) **The Act means** - the *Association Incorporation Act 1984*.
- (i) **The Regulation means** - the *Associations Incorporation Regulation 1999*.

1.2 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.

1.3 The provisions of the *Interpretation Act 1987* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

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Part 2 – Membership

2. Membership qualifications and numbers.

- 2.1 Except as provided in clause 5 (e) Membership is open to individuals that are **owners** of an A'van Camper, Caravan, and or Recreation Vehicle Manufactured by A'van Campers & Caravans Pty Ltd under their registered trade mark.
- 2.2 A person is qualified to be a member of the Group if, but only if:
- (a) the person is a person referred to in section 15 (1) (a),(b) or (c) of the Act and has not ceased to be a member of the Group at any time after incorporation of the Group under the Act, or the person is a natural person who:
 - (i) has applied for membership of the Group as provided by rule 3, and
 - (ii) has been approved for membership of the Group by the committee of the Group.
- 2.3 There shall be two classes of membership these being, spouse/partner members and single membership.
- 2.4 The committee shall be responsible for determining the total membership numbers.

3. Application for membership.

- 3.1 An application for membership of the Group shall be made in writing on the prescribed Group application form in accordance with the Group's Operating Procedures and must be lodged with the Secretary of the Group.
- 3.2 As soon as practicable after receiving an application for membership, the Secretary must refer the application to the committee, which is to determine whether to approve or to reject the application.
- 3.3 As soon as practicable after the committee makes that determination, the Secretary must:
- (a) notify the applicant, in writing via mail or electronic mail that the committee approved or rejected the application (whichever is applicable), and
 - (b) if the committee approved the application, and the Group has not received an applicant's joining fee and annual subscription fee the applicant must pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under the rules by a member as entrance fee and annual subscription.
- 3.4 The Secretary must, on payment by the applicant of the amounts referred to in sub-clause 3.3 (b) within the period referred to in that provision, enter the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the Group. The Secretary shall keep Group membership records up to date at all times
- 3.5 The Secretary shall provide each member with a membership receipt and a copy of the Group's Constitution and Operating Procedures.
- 3.6 Subject to the act and the regulations, and the provision of the Constitution and Operating Procedures, a member shall:
- (a) be entitled to take part in all of the Group's activities,

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- (b) be entitled to use all facilities provided by the Group for the use of its members,
- (c) be entitled to attend and vote at any annual general or special meeting of the Group,
- (d) be entitled to be elected as an office-bearer or ordinary member of the committee,
- (e) not, by reason of membership, be under any financial liability except as provided for in these rules.

4. Membership renewal

- 4.1 Membership renewal with the Group shall be in writing and lodged with the Treasurer of the Group.
- 4.2 The Membership renewal shall be made on the prescribed form in accordance with the Groups Operating Procedures.

5. Cessation of membership.

A person ceases to be a member of the Group if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) fails to pay their Annual Fees or any money owing to the Group by the due date, or
- (d) is expelled from the Group, or.
- (e) sells their A'Van and does not intend to purchase another A'Van product as defined in clause 2.1 within 6 months.

6. Membership entitlements not transferable.

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

7. Resignation of membership.

- 7.1 A member of the Group is not entitled to resign that membership except in accordance with this rule.
- 7.2 A member of the Group who has paid all amounts payable by the member to the Group in respect of the member's membership may resign from membership of the Group by giving to the Secretary written notice via mail or electronic mail of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- 7.3 Where a member of the Group ceases to be a member under rule 7.2 and in every other case where a 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.

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8. Register of members.

- 8.1 The Secretary of the Group must establish and maintain or cause to establish and maintain a register of members of the Group specifying the name and address of each person who is a member of the Group together with the date on which the person became a member and ceased to be a member.
- 8.2 The register of members must be kept at the principal place of administration of the Group and must be open for inspection, free of charge, by any member of the Group at any reasonable hour.
- 8.3 A member of the Group may obtain a copy of any part of the register for a fee of \$1.00 for each page copied, or if some other is determined by the committee, that other amount.

9. Fees and subscriptions.

- 9.1 A member of the Group shall upon admission to membership, pay to the Group a joining fee of \$20.00 or, where some other amount is determined by the Committee, of that other amount.
- 9.2 In addition to any amount payable by the member under clause 9.1, a member of the Group shall pay to the Group an annual membership fee of \$30.00 or, where some other amount is determined by the committee, of that amount:
 - (a) Except as provided in sub-clause 9.2 (b), before 1st July in each calendar year, or
 - (b) Where a member becomes a member on or after 1st July in each calendar year on becoming a member and before 1st July in each succeeding year,
 - (c) Where a member joins the Group on or after 1st May, the member shall be entitled to full membership rights for the period up to 30 June in the following year without the payments of any additional annual subscription.

10. Members' liabilities.

- 10.1 The liability of a member of the Group to contribute towards the payment of the debts and liabilities of the Group or the costs, charges and expenses of the winding up of the Group is limited to the amount, if any, unpaid by the member in respect of membership of the Group as required by rule 9.

11. Resolution of internal disputes.

- 11.1 Disputes between members (in their capacity as members) of the Group, and disputes between members and the Group, are to be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.
- 11.1 At least 7 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.

12. Disciplining of members.

- 12.1 A complaint may be made to the committee by any person that a member of the Group:

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- (a) has persistently refused or neglected to comply with a provision or provisions of these rules, or
- (b) has persistently and wilfully acted in a manner prejudicial to the interests of the Group.

12.2 On receiving such a 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.

12.3 The committee may, by resolution expel the member from the Group or suspend the member from membership of the Group 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.

12.4 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 rule 13.

12.5 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 Group confirms the resolution under rule 13.5 whichever is the later.

13. Right of appeal of disciplined member.

13.1 A member may appeal to the Group in general meeting against a resolution of the committee under rule 12, within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.

13.2 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.

13.3 On receipt of a notice from a member under rule 13.1, the Secretary must notify the committee which has to convene a special general meeting of the Group to be held within 28 days after the date on which the Secretary received the notice.

13.4 At a special general meeting of the Group convened under rule 13.3:

- (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.

13.5 If at the special general meeting the Group passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

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Part 3 - The Committee

14. Powers of the Committee.

- 14.1 The committee is to be called the committee of management of the Group, and subject to the Act, the Regulation and this constitution and to any resolution passed by the members of the Group in any meeting:
- (a) is to control and manage the affairs of the Group, and
 - (b) may exercise all such functions as may be exercised by the Group, other than those functions that are required by these rules to be exercised by a general meeting of members of the Group, 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 Group.

15. Constitution and membership of the committee.

- 15.1 The committee is to consist of:
- (a) the office-bearers of the Group, and
 - (b) at least 2 ordinary members, each of whom is to be elected at the Annual General Meeting of the Group under rule 16. The number of ordinary members on the committee shall be determined in accordance with the Operating Procedures.
- 15.2 The office-bearers of the Group are to be:
- (a) the President
 - (b) the Vice President
 - (c) the Secretary
 - (d) the Treasurer
- 15.3 Each member of the committee is, subject to these rules, 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.
- 15.4 In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Group to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of appointment.

16. Election of members to the committee.

- 16.1 A Returning officer shall be elected at each Annual General Meeting of the Group, and whose duties shall be to conduct the next annual election of committee members. The returning officer need not be a committee member. If the returning officer ceases to be a member or resigns their position during their term of office, an election to fill the vacancy shall be held at the next meeting of the Group. In the event there is no meeting of the Group between the date of resignation and the next Annual General Meeting, then the committee shall appoint a returning officer as a casual vacancy under clause 15.4

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- 16.2 Nomination of candidates for election as office-bearers of the Group or as ordinary members of the committee:
- (a) Shall be in writing, signed by two members of the Group and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination), and
 - (b) Shall be delivered to the secretary of the Group at least seven days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
- 16.3 If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations can be received from the floor at the Annual General Meeting.
- 16.4 If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.
- 16.5 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- 16.6 If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- 16.7 A nomination of a candidate under this clause for an office-bearers position as defined in rule 15.3 is not valid if that candidate has been elected to another office-bearers position at the same election.
- 16.8 The ballot for the election of office-bearers and ordinary members of the committee is to be conducted at the Annual General Meeting in such usual and proper manner as the committee may direct.

17. Secretary.

- 17.1 The Secretary of the Group must, as soon as practicable after being appointed as Secretary, lodge notice with the Group of his or her address.
- 17.2 It is the duty of the Secretary to keep or cause to be kept details of:
- (a) all appointments of office-bearers and members of the committee,
 - (b) the names of members of the committee present at a committee meeting or any other meeting of the Group, and
 - (c) all proceedings at all Group meetings.
- 17.3 Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

18. Public Officer.

The public officer shall ensure that the requirements of the Act and Regulations are adhered to at all times and shall be appointed at the Annual General Meeting. In the event that no appointment is made at the Annual General Meeting then the Secretary shall assume the position of Public Officer.

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19. Treasurer.

19.1 It is the duty of the Treasurer of the Group to ensure:

- (a) that all money due to the Group is collected and receipted and that all payments authorised by the Group are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the Group, including full details of all receipts and expenditure connected with the activities of the Group, and
- (c) that the Treasurer shall present to the members for ratification at each Annual General Meeting an audited report summarising the Group's receipts and payments for the financial year and that this report declares the Group's cash position at the end of the financial year and lists all assets held by the Group.

20. Casual vacancies on the committee.

20.1 For the purposes of this constitution, a casual vacancy in the office of a member of the committee occurs if the member:

- (a) dies, or
- (b) ceases to be a member of the Group, or
- (c) becomes bankrupt, applies to take benefit of any law for the relief of bankruptcy or an insolvent debtors, compounds with his or her creditors, or makes an assignment of his or her remuneration for their benefit under administration within the meaning of the *Corporations Act 2001*, of the Commonwealth, or
- (d) resigns office by notice in writing given to the Secretary or
- (e) is removed from office under rule 21, or
- (f) becomes a mentally incapacitated person, or becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the *Mental Health Act 1958* or a person under detention under Part 7 of that Act, or
- (g) is absent without the consent of the committee from 3 consecutive meetings of the committee.

21. Removal of committee member.

21.1 The Group 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.

21.2 A member may be removed from office at a meeting of the Group if a majority of members present and voting at the meeting vote in favour of removing the member.

21.3 A member who has been removed from office under clause 21.2 has no right of appeal against a member's removal from office under this rule.

22. Meetings and quorum of the committee.

22.1 The committee must meet at least 3 times in each period of 12 months at such place and time as the committee may determine.

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- 22.2 Additional meetings of the committee may be convened by the Secretary or by any member of the committee.
- 22.3 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 (or such other period as may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- 22.4 Notice of a committee meeting given under clause 22.3 must specify the precise nature of the business to be transacted at the committee meeting and no business other than the business is to be transacted at the committee meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- 22.5 Any 4 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- 22.6 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 the same place and at the same hour of the same day in the following week.
- 22.7 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.
- 22.8 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 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.

- 23.1 The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Group 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 a duty imposed on the committee by the Act or by any other law.
- 23.2 A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- 23.3 A delegation under this section 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.
- 23.4 Despite any delegation under this rule, the committee may continue to exercise any function delegated.

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

23.6 The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.

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

23.8 A sub-committee shall have no control whatsoever of any of the Groups funds.

24. Voting and decisions of the committee.

24.1 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 and voting at the meeting.

24.2 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.

24.3 Subject to clause 22.5 the committee may act despite any vacancy on the committee.

24.4 Notwithstanding the provisions of clauses 24.1 and 24.2 the person presiding may elect to refer any question to a general meeting.

24.5 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 – Meetings of the Group.

25. Annual General Meetings – Holding of

25.1 The Group must convene an annual general meeting of its members once in each calendar year and within the period of 6 months after the expiration of each financial year.

25.2 Clause 25.1 has effect subject to any extension or permission granted by the Commissioner under section 26 (3) of the Act.

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26. Annual General Meetings - calling of and business at

- 26.1 The Annual General Meeting of the Group is, subject to the Act and to rule 25, to be convened on such date and at such place and time as the committee thinks fit.
- 26.2 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 preceding 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 Group during the last preceding financial year;
 - (c) to elect office-bearers of the Group and ordinary members of the committee, Returning Officer and Auditor;
 - (d) to receive and consider the statement which is required to be submitted to members under section 26(6) of the Act;
 - (e) To appoint/confirm the position of Public Officer.
- 26.3 An Annual General Meeting must be specified as such in the notice convening it.

27. Special General Meetings - calling of

- 27.1 The committee may, whenever it thinks fit, convene a special general meeting of the Group
- 27.2 The committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the Group.
- 27.3 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.
- 27.4 If the committee fails to convene a special general meeting to be held within 2 months 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.
- 27.5 A special general meeting convened by a member or members as referred to in clause 27.2 must be convened, as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who consequently incurs expenses is entitled to be reimbursed by the Group for any expenses so incurred.

28. Notice of meetings.

- 28.1 Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Group, the Secretary must, at least 28 days before the date fixed for

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the holding of any 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.

28.2 If the nature of the business proposed to be dealt with at a special general meeting requires a special resolution of the Group, the Secretary must, at least 28 days before the date fixed for the holding of the special general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause 28.1, the intention to propose the resolution as a special resolution.

28.3 No business other than that specified in the notice convening a special 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 26.2.

28.4 A member desiring to bring any business before any meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling the meeting given after receipt of the notice from the member.

29 Quorum for meetings.

29.1 No item of business is to be transacted at an annual general or special meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

29.2 For meetings described under clause 29.1, ten members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business.

29.3 If within half an hour after the appointed time for the commencement of any 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 notice to members given before the day to which the meeting is adjourned) at the same place.

29.4 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 3) is to constitute a quorum.

30. Presiding member.

30.1 The President or, in the President's absence, the Vice President, is to preside as chairperson at each meeting of the Group.

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

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31. Adjournment.

- 31.1 The chairperson of a special 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.
- 31.2 If a special 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 Group stating the place, date and time of the meeting.

32. Making of decisions at all meetings.

- 32.1 A question arising at any meeting of the Group is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, 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 effect in the minute book of the Group, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 32.2 At all meetings of the Group, a poll may be demanded by the chairperson or by at least 3 members present in person at the meeting.
- 32.3 If a poll is demanded at a any meeting, the poll must be taken:
- (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
 - (b) in any other case, in such manner and at such time before the close of a meeting as the chairperson directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

33. Special resolution.

- 33.1 A resolution of the Group is a special resolution:
- (a) if it is passed by a majority which comprises at least three-quarters of such members of the Group as, being entitled under these rules so to do, vote in person or by proxy at a any meeting of which at least 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
 - (b) where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in sub-clause 33.1 (a), if the resolution is passed in a manner specified by the Commissioner.

34. Voting.

- 34.1 On any question arising at any meeting of the Group a member has one vote only.
- 34.2 All votes may be given in personally or by proxy. No member shall hold more than two proxies.
- 34.3 In the case of an equality of votes on a question at any meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

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34.4 A member or proxy is not entitled to vote at any meeting of the Group unless all money due and payable by the member to the Group has been paid, other than the amount of the annual subscription payable in respect of the then current year.

35. Appointment of proxies.

35.1 Each member shall be entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the meeting in respect of which the proxy is appointed proceeds to business. No member shall hold more than two proxy votes.

35.2 The notice appointing the proxy shall be in the form set out in the Groups Operating Procedure.

Part 5 – Miscellaneous

36. Insurance.

36.1 The Group shall establish and maintain appropriate insurances.

36.2 The Committee may from time to time establish any insurance that the committee may consider appropriate or is required by law.

37. Funds – source

37.1 The funds of the Group are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Group at any meeting and such other sources as the committee determines.

37.2 All money received by the Group must be deposited as soon as practicable and without deduction to the credit of the Group's bank account.

37.3 The Group must, as soon as practicable after receiving any money, issue an appropriate receipt.

38. Funds – management

38.1 Subject to any resolution passed by the Group at a general meeting, the funds of the Group are to be used in pursuance of the objects of the Group in such a manner as the committee determines.

38.2 All cheques, draughts, bills of exchange, promissory notes and other negotiable instruments must be signed by any one of the officers of the committee of the Group, being members authorised to do so by the committee.

39. Alteration to rules.

This Constitution may be altered, rescinded or added to only by a special resolution of the Group.

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40. Common seal.

- 40.1 The common seal of the Group must be kept in the custody of the Public Officer.
- 40.2 The common seal must not be affixed to any instrument except by the authority of the committee and the fixing of the common seal must be attested by the signatures either of two members of the committee or of one member of the committee and the Secretary.

41. Custody of books.

- 41.1 Except as otherwise provided by these rules, the Secretary must keep in his/her custody or under his/her control all records, books and other documents relating to the Group.
- 41.2 The Treasurer shall be entitled to keep the books of account of the Group under his or her control.

42. Inspection of books.

- 42.1 The records, books and other documents of the Group must be open to inspection, free of charge, by a member of the Group at any reasonable time.

43. Service of notices.

- 43.1 For the purpose of these rules a notice may be served on or given to a person:
- (a) by delivering to the person personally, or
 - (b) by sending by pre-paid post to the address of the person, or
 - (c) by sending by facsimile transmission or some other form of electronic transmission or electronic mail to an address specified by the person for giving or serving the notice.
- 43.2 For the purpose of this constitution, a notice is taken, unless the contrary is provided, 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 the 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 a later date, on that date.

44 Statement of group objects

The statement of objects of the Sydney-Central Coast AVan Group Inc. shall be:

- (a) To share ideas of common interest and mutual benefit;
- (b) To encourage and foster friendship and co-operation amongst people that are owners of an A'van type product manufactured by A'van Campers and Caravans Pty Ltd;
- (c) To hold meetings, lectures, demonstrations, outings, and competitions for the furtherance of member's interests;

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- (d) To do all such other lawful things as may appear to be incidental or conducive to the attainment of the above objects or any of them;
- (d) To encourage all members while participating in Group activities to act in an environmentally and socially responsible manner and in accordance with the law.

45 Precedence

The Act, the Regulations and this Constitution shall, in that order, take precedence over the Groups Operating Procedures.

46 Surplus property

- 46.1 In the event of the association being dissolved the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be paid and applied by the Group, in accordance with its powers, to any incorporated association or charitable organisation which has a similar constitution and objects, prohibiting the distribution of its assets and income to its members.
- 46.2 The incorporated association so named shall be one which fulfils the requirements specified in section 53 (2) (a) to (c) of the Act.

Incorporated on 21st June 2006
First Amendment 4th February 2007
Second Amendment 28th November 2009