

Constitution of the Finch Society of Australia Incorporated

Registration number 9874378

As amended and adopted.....

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Part 1 Preliminary

1 Name, Definitions and Objectives

In this constitution:

- (1) The name of the association is "The Finch Society of Australia Inc (the association)
- (2) In this Constitution:
 - (2.1) **ordinary committee member** means a member of the committee who is not an office-bearer of the association.
 - (2.2) **secretary** means:
 - (a) the person holding office under this constitution as secretary of the association, or
 - (b) if no person holds that office - the public officer of the association.
 - (2.3) general meeting means a meeting of the association other than an annual general meeting.
 - (2.4) The Act means the Associations Incorporation Act 2009
 - (2.5) The Regulation means the Association Incorporation Regulation 2016

Objectives

- a) to support and encourage the keeping and breeding in captivity of all species of finches;
- b) to provide a forum for bird enthusiasts to come together, to share experiences and to foster ongoing improvement in avicultural knowledge and practices;
- c) to promote practices that positively represent aviculture and finch breeders to the general public;
- d) to support the preservation of wild populations of native finches, restoration of habitat and to encourage members to support scientific research that may lead to the enhancement of Australian biodiversity; and
- e) to be committed to maintaining a genetically diverse population of finch species to assist in ensuring provision of a viable gene pool in aviculture as well as for possible reintroduction into the wild.

Branches and Affiliates

The Association may as it sees fit support the establishment of branches and affiliates (e.g. The Hawksbury Finch Club) primarily where location precludes members from regular attendance at association meetings and events. All Branches are to operate in accord with the association constitution.

Part 2 Membership

2 Membership generally –

- (1) A person is eligible to be a member of the association if:
 - (a) the person is a natural person, and
 - (b) the person has applied and been approved for membership of the association in accordance with clause 3.
- (2) A person is taken to be a member of the association if:
 - (a) the person is a natural person, and
 - (b) the person was:
 - (i) in the case of an association that is amalgamated to form the relevant association - a member of that other association immediately before the amalgamation, or
 - (ii) in the case of a registrable corporation that is registered as an association - a member of the registrable corporation immediately before that entity was registered as an association.
- (3) A person is taken to be a member of the association if the person was one of the individuals on whose behalf an application for registration of the association under section 6 (1) (a) of the Act was made.
- (4) Types of membership
 - Ordinary Membership
 - Family Membership
 - Pensioner Membership
 - Junior Membership (under 17 years)
 - Honorary Membership
 - Life Membership
- (5) Honorary memberships may be awarded for services to the association for such period as determined by the committee
- (6) Life membership
 - a) Only one life membership can be awarded every two years. Nominations are to be voted on in the order they are received.
 - b) Nominees for life membership must have been active members of the association for at least 10 years.
 - c) The award is to be given in recognition of outstanding services rendered to the association and the nominee is to be held in high regard by the general membership.
 - d) Nominations for life membership must be submitted in writing to the committee by a member (other than the nominee) and seconded by another member no later than 30 June.
 - e) The committee must inform members of the nomination as soon as possible to allow sufficient time for members to decide whether to approve or reject the nomination at the annual general meeting of the association held in September each year.

- f) Voting is by simple majority of members present and exercising their vote at the annual general meeting.
- g) If a life membership is awarded pursuant to this clause voting for any other nominees must be adjourned to the annual general meeting to be held two years thereafter.
- h) If a life membership nomination is rejected by members at an annual general meeting, another nomination that has been received, processed by the committee and communicated to members may be voted upon at the same annual general meeting.
- i) The membership year shall commence on 1 January as provided by clause 8.

3 Application for membership

- (1) An application by a person for membership of the association
 - a) is initiated by the person completing the appropriate membership application form and paying the appropriate fee set by the association at the time.
 - b) must be lodged (including by electronic means, if the committee so determines) with the secretary of the association.
- (2) As soon as practicable after receiving an application for membership, the secretary may refer the application to the next meeting of the committee, which is to determine whether to approve or to reject the application.
- (3) As soon as practicable after the committee makes that determination, the secretary may:
 - a) If the committee approves an application, enter or cause to be entered the applicant's name and personal details in the register of members and, on the name being so entered, the applicant becomes a member of the association.
 - b) If the committee rejects an application the secretary must notify the person that the application has been rejected and return the fee paid to the applicant.

4 Cessation of membership

- (1) A person ceases to be a member of the association if the person:
 - (a) dies, or
 - (b) resigns membership, or
 - (c) is expelled from the association, or
 - (d) fails to pay the annual membership fee under clause 8 (2) within 3 months after the fee is due.

5 Membership entitlements not transferable

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

6 Resignation of membership

- (1) A member of the association may resign from membership of the association by advising the secretary in writing or by electronic means of the date their resignation is to take effect.
- (2) If a member of the association ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary or other nominated member 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 secretary or other nominated member must establish and maintain a register of members of the association (whether in written or electronic form) specifying the name and postal, residential or email address of each person who is a member of the association together with the date on which the person became a member.
- (2) The register of members must be kept in New South Wales:
 - (a) at the main premises of the association, or
 - (b) if the association has no premises, at the secretary's or other nominated members premises.
- (3) The register of members will be made available for inspection, free of charge, by any member of the association at the general meeting next following receipt of a request in writing by the secretary, subject to a minimum of 30 days notice.
- (4) 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 association or other legitimate matters relating to the association, or
 - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.
- (5) If the register of members is kept in electronic form:
 - (a) it must be convertible into hard copy.

8 Fees and subscriptions

- (1) A member of the association must, on admission to membership, pay to the association the full annual fee for the applicable class of membership as determined by the committee, at the time of application.
- (2) In addition to the amount payable by the member under subclause (1), a member of the association must pay to the association an annual membership fee as determined by the committee, from time to time:
 - (a) except as provided by paragraph (b), before the first day of January in each calendar year, or
 - (b) if the member becomes a member on or after the first day of January in any calendar year—on becoming a member and before the first day of January in each succeeding calendar year.

9 Members' liabilities

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

10 Disciplining of members

- (1) A complaint may be made to the committee by any person that a member of the association:
 - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
 - (b) has wilfully acted in a manner prejudicial to the interests of the association.
- (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 association or suspend the member from membership of the association 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 11.
- (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 association confirms the resolution under clause 11, whichever is the later.

11 Right of appeal of disciplined member

- (1) A member may appeal to the association in general meeting against a resolution of the committee under clause 10, 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 subclause (1), the secretary must notify the committee, of the appeal and instruct the committee to deal with the appeal at the next general meeting of the association
- (4) At a general meeting of the association convened under subclause (3):
 - (a) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - (b) 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 those members of the association who exercise their vote.

Part 3 The committee

12 Powers of the committee

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

13 Office Bearers, composition and membership of the committee

- (1) The committee is to consist of:
 - (a) the executive office-bearers of the association, and
 - (b) at least 2 ordinary committee members,
 - (c) a number of additional office bearers as decided by members each of whom is to be elected at the annual general meeting of the association under clause 23.

Note. Section 28 of the Act contains further requirements concerning eligibility for membership and composition of the committee.

- (2) The maximum number of committee members is to be 11.
- (3) The executive office-bearers of the association are as follows:
 - (a) the president,
 - (b) the vice-president (s),
 - (c) the treasurer,
 - (d) the secretary.
 - (e) Magazine editor

- (4) The additional office bearers of the association are as follows:

Subject to clause 13 (2) members may appoint some or all of the additional officer bearers to the committee:

- (a) Sales Table Managers
- (b) Minute secretary
- (c) Public Officer
- (d) Sales Co-ordinator
- (e) Supper Officer
- (f) Webmaster
- (g) Chief Show Steward
- (h) Raffle Organiser
- (i) Sponsor Co-ordinator
- (j) Video/Zoom/Youtube/Photographer

- (5) A committee member may hold up to 3 offices (other than any combination of the president, vice president and treasurer offices).
Note. Schedule 1 to the Act provides that an association's constitution is to address the maximum number of consecutive terms of office of any office-bearers on the committee.
- (6) There is no maximum number of consecutive terms for which a committee member may hold office
- (7) Each member of the committee is, subject to this constitution to hold office until the conclusion of the annual general meeting next following the date of the member's election but is eligible for re-election.

14 Election of committee members

- (1) Verbal nominations of candidates for election as office-bearers of the association or as ordinary and additional committee members:
 - (a) must be received at the annual general meeting, moved and seconded by two members of the association and with the verbal consent of the candidate; and
 - (b) absentee nominations must be supported by written acceptance from the nominee
- (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 future general meetings.
- (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 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 and additional committee members of the committee is to be conducted at the annual general meeting in any usual and proper manner that the committee directs.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary or additional committee member of the association must be a member of the association.

15 Secretary

- (1) The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary or other nominated member to keep minutes (whether in written or electronic form) 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.

16 Treasurer

- (1) It is the duty of the treasurer of the association to ensure:
 - (a) that all money due to the association is collected and received and that all payments authorised by the association are made, and
 - (b) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.
 - (c) that annual financial statements are prepared and presented to the committee for review and approval
 - (d) it is the responsibility of the committee to submit the associations annual financial statements to members at each annual general meeting for adoption

17 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 association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.
- (2) 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 association, or
 - (c) is or becomes an insolvent 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, or
 - (f) becomes a mentally incapacitated person, or
 - (g) is absent without the consent of the committee from 3 consecutive meetings of the committee, or
 - (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
 - (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

18 Committee meetings and quorum

- (1) The committee must meet at least 3 times in each period of 12 months at such place and time that 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 president/ secretary to each member of the committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (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 4 members of the committee constitute a quorum for the transaction of the business of a 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 a date and place set by the president or secretary.
- (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 committee:
 - (a) the president or, in the president's absence, a vice-president is to preside, or
 - (b) if the president and the vice-presidents are absent or unwilling to act, one of the remaining members of the committee chosen by the members present at the meeting is to preside.

19 Use of technology at committee meetings

- (1) A committee meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the committee's members a reasonable opportunity to participate.
- (2) A committee member who participates in a 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.

20 Delegation by committee to sub-committee

- (1) The committee may, delegate to one or more sub-committees (consisting of the member or members of the association that the committee thinks fit) the exercise of any of the functions of the committee that are specified in the delegation document, 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.
- (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 any conditions or limitations as to the exercise of any function, or as to time or circumstances, that may be specified in the delegation document.
- (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 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 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.

21 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 18 (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

22 Annual general meetings - holding of

- (1) The association must hold its annual general meeting:
 - (a) within 6 months after the close of the association's financial year, or
 - (b) within any later time that may be allowed or prescribed under section 37 (2) (b) of the Act.

23 Annual general meetings - calling of and business at

- (1) The annual general meeting of the association is, subject to the Act and to clause 22, to be convened on the date and at the place and time that the 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 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 association during the last preceding financial year,
 - (c) to elect office-bearers of the association and ordinary committee members,
 - (d) to receive and consider the financial statements and Treasurers report or report required to be submitted to members under the Act.

24 General meetings and Special general meetings - calling of

- (1) The committee may, whenever it thinks fit, convene a general meeting of the association.
- (2) The committee must, on the requisition of at least 10% of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting:
 - (a) must be in writing, 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 committee fails to convene a special general meeting to be held within 1 month after the 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.

- (5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.
- (6) For the purposes of subclause (3):
 - (a) a requisition may be in electronic form, and
 - (b) a signature may be transmitted, and a requisition may be lodged, by electronic means.

25 Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the president or secretary must, at least 3 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 subclause (1), the intention to propose the resolution as a special resolution.
- (3) 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.

26 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 that item.
- (2) 15 members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (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 other case is to stand adjourned to the next general meeting of the association (unless another place is specified at the time of the adjournment by the person presiding at the meeting).
- (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 15) are to constitute a quorum.

27 Presiding member

- (1) The president or, in the president's absence, a vice-president, is to preside as chairperson at each general meeting of the association.

- (2) If the president and the vice-presidents are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

28 Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, to be verbally advised at the next general meeting of the association.
- (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, other than by noting in the minutes of the meeting.

29 Making of decisions

- (1) A question arising at a general meeting of the association is to be determined by:
 - (a) a show of hands or, if the meeting is one to which clause 34 applies, any appropriate corresponding method that the committee may determine, or
 - (b) if on the motion of the chairperson or if 15 or more members present at the 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 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 association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) Subclause (2) applies to a method determined by the committee under subclause (1) (a) in the same way as 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.

30 Special resolutions

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

31 Voting

- (1) On any question arising at a general meeting of the association 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 or casting vote.
- (3) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid.

- (4) A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age.

32 Proxy votes not permitted

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

Note. Schedule 1 to the Act provides that an association's constitution is to address whether members of the association are entitled to vote by proxy at general meetings.

33 Postal or electronic ballots

- (1) The association may hold a postal or electronic ballot (as the committee determines) to determine any issue or proposal (other than an appeal under clause 11).
- (2) A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.

34 Use of technology at general meetings

- (1) A general meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the association's members a reasonable opportunity to participate.
- (2) A member of an association 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.

Part 5 Miscellaneous

35 Insurance

- (1) The association may effect and maintain insurance.

36 Funds - source

- (1) The funds of the association are to be derived from members fees, sales table, bird sale, raffle and, donations and, subject to any resolution passed by the association in general meeting, any other sources that the committee determines.
- (2) All money received by the association 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.

37 Funds - management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used solely in pursuance of the objectives of the association in the manner that the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 members of the committee being members authorised to do so by the association.

38 Association is non-profit

- (1) Subject to the Act and the Regulation, the association must apply its funds and assets solely in pursuance of the objectives of the association and must not conduct its affairs so as to provide a pecuniary gain for any of its members.

39 Distribution of property on winding up of association

- (1) Subject to the Act and the Regulations, in a winding up of the association, any surplus property of the association is to be transferred to another organisation with similar objectives and which is not carried on for the profit or gain of its individual members.
- (2) In this clause, a reference to the surplus property of an association is a reference to that property of the association remaining after satisfaction of the debts and liabilities of the association and the costs, charges and expenses of the winding up of the association.

Note. Section 65 of the Act provides for distribution of surplus property on the winding up of an association.

40 Change of name, objectives and constitution

- (1) An application for registration of a change in the association's name, objectives 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, all records, books and other documents relating to the association must be kept in New South Wales. In the custody of the President, Secretary or Treasurer, or such other member of the association (as the committee determines is the most practical in the circumstances).

42 Inspection of books etc

- (1) The following documents must be made available for inspection, free of charge upon request in writing, by a member of the association at the next general meeting of the association after a minimum of 30 days notice is given;
 - (a) records, books and other financial documents of the association,
 - (b) this constitution,
 - (c) minutes of all committee meetings and general meetings of the association.
- (2) A member of the association may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.
- (3) Despite subclauses (1) and (2), the committee may refuse to permit a member of the association to inspect or obtain a copy of records of the association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the association.

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 post to the address of the person, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) 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 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 Financial year

- (1) The financial year of the association is:
 - (a) each period of 12 months after the expiration of the previous financial year of the association, commencing on 1 July and ending on the following 30 June.