

CONSTITUTION

Gosford Erina Business Chamber Inc (Est. 1947)

Constitution and Rules

Part 1 Preliminary

Definitions

In this constitution:

ordinary committee member means a member of the committee who is not an office-bearer of the association.

secretary means:

- (a) the person holding office under this constitution as secretary of the association, or
- (b) if no such person holds that office—the public officer of the association.

special general meeting means a general meeting of the association other than an annual general meeting.

the Act means the *Associations Incorporation Act 2009*.

the Regulation means the *Associations Incorporation Regulation 2016*.

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.

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.

In this constitution:

"**Act**" means the Associations Incorporation Act 2009;

"**Annual Financial Statement**" means the Annual Financial Statement for the Association to be approved by the Members,

"**Annual General Meeting**" has the meaning given to it in Rule 27;

"**Association**" means the *Gosford Erina Business Chamber*.

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REMOVAL OF DEFINITION OF "DIRECTOR-GENERAL"

"**Business Day**" means a day on which registered banks are open for business in Gosford, but does not include Saturdays, Sundays and public holidays;

"**Chairperson**" means the chairperson of the Association referred to in Rule 18; "**Executive**

Committee" means the committee of the Association referred to in Rule 16; "**Members**"

means the members of the Association from time to time.

"**Office bearers**" means the Chairperson/President, Vice President, Secretary and Treasurer of the Association referred to in Rule 16

"**Secretary**" means the Secretary of the Association referred to in Rule 18

"**Special General Meetings**" means a General Meeting of the Association other than an annual general meeting;

"**Special Resolution**" has the meaning given to it in **Rule 34**;

"**Treasurer**" means the Treasurer of the Association referred to in **Rule 19**.

References to Persons: references in these Rules to persons include references to individuals, companies, corporations, partnerships, firms, joint ventures, associations, trusts, organizations or other entities.

Part 2 Association

1 Name

Gosford Erina Business Chamber

2 Office

The office of the Association shall be at 200 Mann St Gosford or at such other place as the Executive Committee shall from time to time determine.

3 Objects

- a) To combine with other Chambers or similar bodies on a district, state or national basis in the interests of members, free enterprise and national welfare.
- b) To collect and circulate statistics and other information relating to business and professions.
- c) To raise monies by subscription or other means approved by the members.
- d) To invest and deal with the monies of the Chamber not immediately required.
- e) Promote and advertise sales, events and functions to enhance business in our area.
- f) Be committed to sound development of local job opportunities and industry expansion. The provision of good customer service generally by private and public enterprises. Examination of any public issue, which adversely affects the community.

4 Membership

- a) Any person (whether a natural person or legal entity) engaged in or interested in business or the professions may be accepted as a member of the Association.
- b) The person must be nominated and approved for membership of the Association in accordance with Rule 5
- c) 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.
- d) If a member is not a natural person, they must appoint a natural person (being a partner, director or officer of the member or such other person approved by the member) to represent the member and otherwise enable the member to carry out its powers under this constitution, including voting at general meetings and the annual general meeting.
- e) The member:
 - i. must give written notice to the secretary of the appointment of a member representative under this Rule; and
 - ii. may revoke the appointment of a member representative by giving written notice to the secretary.
- f) A member shall be bound by its member representative appointed under this Rule and the committee's opinion of the scope of the member representative's authority to bind the member shall be final and conclusive.

5 Nomination for Membership

A nomination of a person for membership of the association:

- (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 association.

(2) As soon as practicable after receiving a nomination for membership, the secretary shall refer the nomination to the committee which is to determine whether to approve or to reject the nomination.

(3) As soon as practicable after the committee makes that determination, the secretary shall:
(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 annual subscription.

(4) The secretary shall, on payment by the nominee of the amounts referred to in sub Rule (3) (b) within the period referred to in that provision, enter or cause to be entered the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

6 Cessation of membership

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 Rule 10 (2) within 3 months after the fee is due.

7 Membership entitlements not transferable

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.

8 Resignation of membership

(1) A member of the association may resign from membership of the association by first giving to the secretary written notice 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.

(2) If a member of the association ceases to be a member under sub Rule (6), and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

9 Register of members

(1) The public officer of the association shall establish and maintain a register of members of the association specifying the name and postal or residential 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 shall be kept at the main premises of the association, or at the association's official address.

(3) The register of members shall be open for inspection, free of charge, by any member of the association at any reasonable hour.

(4) A member of the association 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 shall not be made available for inspection.

(6) A member shall 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 material relating to the association, or

(b) Any other purpose necessary to comply with a requirement of the Act or the Regulation.

10 Fees and Subscriptions

The annual subscription shall be decided by the Executive Committee and shall be paid one year in advance and due for renewal on its anniversary date.

11 Members' liabilities

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 Rule 5.

12 Resolution of disputes

(1) A dispute between a member and another member (in their capacity as members) of the association, or a dispute between a member or members and the association, are to be referred to a community justice center 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.

13 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 willfully acted in a manner prejudicial to the interests of the association.

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REMOVAL OF "IS"

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

(b) shall 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) shall 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 shall, 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 14.

(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 Rule 14, whichever is the later.

14 Right of appeal of disciplined member

(1) A member may appeal to the association in general meeting against a resolution of the committee under **Rule 13**, 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 sub Rule (1), the secretary must notify the committee which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.

(4) At a general meeting of the association convened under sub Rule (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 association.

Part 3 The committee

15 Powers of the committee

Subject to the Act, the Regulation and this constitution and to any resolution passed by the association in general meeting, the committee:

- (a) is to control and manage the affairs of the **Gosford Erina Business Chamber**, and
- (b) may exercise all such functions as 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 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 association.

16 Composition and membership of committee

- (1) The committee is to consist of:
 - (a) the office-bearers of the association, including
 - (b) at least 5 and up to **10** ordinary committee members, each of whom is to be elected at the annual general meeting of the association under Rule 17.
- (2) The office-bearers of the association are as follows:
 - (a) the president,
 - (b) two vice-presidents,
 - (c) the treasurer,
 - (d) the secretary.
- (3) Election of office bearers will be conducted at the first board meeting after the annual general meeting by the committee members.
- (4) A committee member may hold up to 2 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.

17 Election of committee members

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members:
 - (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the 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 received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in such usual and proper manner as the committee may direct.
- (7) Unless agreed otherwise by a resolution of the members, a person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association for a minimum of 12 months.
- (8) There is no maximum number of consecutive terms for which an ordinary committee member may hold office.

18 Chairperson and Secretary

- (1) The Chairperson/President shall be elected to that position in accordance with Rule 17. In the absence of the Chairperson and Vice Chairperson/Vice President, Executive Committee Members present shall be entitled to elect a chairperson for the meeting.
- (2) The secretary of the association shall, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (3) 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.
- (4) 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

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 authorized 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.

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 association 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.
- (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) 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 under Rule 21, 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.

21 Removal of committee members

- (1) The association 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.
- (2) If a member of the committee to whom a proposed resolution referred to in sub Rule (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

(3) Unless agreed otherwise by a majority of the committee, a committee member may be removed from the committee before the committee member's term of office has expired in circumstances where the committee member has failed to attend 3 consecutive committee meetings or 6 committee meetings in a 2 year period without leave of the committee.

22 Committee meetings and quorum

(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.

(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 (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.

(4) Notice of a meeting given under sub Rule (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) ~~At least 50% of the positions filled on the committee including at least 2 office bearers, constitute a quorum for the transaction of the business of a meeting of the committee. A quorum may be achieved by teleconference or videoconference where required.~~

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REMOVAL OF THE WORDS "ANY 7 MEMBERS OR"

(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.

(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, 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 association 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.

(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.

(3) A delegation under this Rule 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 Rule, 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 Rule 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 Rule.

(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 Rule 22 (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.

25 Resolution by Flying Minute

(1) Where in the opinion of the President, a matter requires urgent consideration and no committee meeting is imminent, the committee members may pass a resolution without a committee meeting being held if all the committee members entitled to vote on a resolution are informed of the proposed resolution and indicate in writing whether they are in favor of the proposed resolution (flying minute).

(2) Subject to sub Rule (4), a proposed resolution may be passed in the event that more than 50% of all committee members entitled to vote confirm in writing that they are in favour of the proposed resolution.

(3) Subject to sub Rule (4), the proposed resolution will be passed when the last committee member required to exceed 50% of all committee members entitled to vote signs the flying minute.

(4) The 50% threshold required pursuant to subclasses (2) and (3) will not be applicable if the constitution, or any applicable law, requires special or unanimous resolution, in respect of the resolution which is to be passed by the flying minute. In such cases, the flying minute

will be required to be passed by a special or unanimous resolution (as applicable).

- (5) A resolution passed by way of flying minute shall be reported to the next general meeting of the members.
- (6) If two or more separate documents in identical terms are signed in accordance with this Rule 25, they are treated as one document containing the resolution.
- (7) Except as provided otherwise in this constitution, the committee may adjourn and otherwise regulate its meetings as it sees fit.

Part 4 General meetings

26 Annual general meetings—holding of

- (1) The association shall 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.

27 Annual general meetings—calling of and business at

- (1) The annual general meeting of the association is, subject to the Act and to Rule 26, to be convened on such date and at such place and time as 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 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.

28 Special general meetings—calling of

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (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 association.
- (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.

(4) 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.

(5) A special general meeting convened by a member or members as referred to in sub Rule 4 must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.

29 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 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 Rule (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 Rule 27 (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.

30 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) Seven 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 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.

(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) are to constitute a quorum.

31 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 association.

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

32 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, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

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

33 Making of decisions

(1) A question arising at a general meeting of the association is to be determined by either:

(a) a show of hands, or

(b) if on the 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—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) 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.

34 Special resolutions

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

35 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.

36 Proxy votes not permitted

Proxy voting shall not be undertaken at or in respect of a general meeting.

37 Postal or electronic ballots

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

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

Part 5 Miscellaneous

38 Insurance

The association will effect and maintain insurance.

39 Funds—source

(1) The funds of the association are to be derived from 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 association shall be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorized deposit-taking institution account.

(3) The association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

40 Funds—management

(1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association 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 2 members of the committee or employees of the association, being members or employees authorized to do so by the committee.

41 Change of name, objects and constitution

An application for registration of a change in the association's name, objects or constitution in accordance with section 10 of the Act will be made by the public officer or a committee

member.

42 Custody of books etc

Except as otherwise provided by this constitution, the public officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the association.

43 Inspection of books etc

- (1) The following documents shall
 - (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 sub Rule (1) on payment of a fee of not more than \$1 for each page copied.

44 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 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 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.

45 Financial year

The financial year of the association is:

- (a) the period of time commencing on the date of incorporation of the association and ending on the following 30 June, and
- (b) 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.

Appendix 1 Application for membership of association

(Rule 5 (1))



Please complete the form as fully and clearly as possible. All information supplied is treated in the greatest confidence. Complete and return to the Chamber Secretary, Gosford City Chamber of Commerce and Industry Inc., PO Box 120, Gosford, NSW 2250 or email to info@gosfordchamber.com.au or on 4323 4475.

Please circle which membership type you are seeking for: (Please include GST)

Small business - 1-3 employees \$99.00 1-10 employees \$174.50 11+ employees \$381.00

Mr/Ms/Ms/Other: _____ First Name: _____ Family Name: _____

Company Name: _____ Company Position: _____

Street Address: _____ Mailing Address: _____

Telephone No.: _____ Facsimile No.: _____ Mobile No.: _____

Web Address: _____ Email Address: _____

Nature of Business: _____

How did you hear about the Chamber?

PAYMENT OF SUBSCRIPTION FEE: Payment must accompany this application form. A fee receipt will be supplied for all payments and will be included in your member pack.

AMEX VISA MASTERCARD PAYPAL

Card number: _____ Expiry Date: _____

Card holder name: _____ Card holder signature: _____

The annual subscription is determined by the Board and is due on its anniversary (and thereafter). On payment you will receive full membership to the Gosford City Chamber of Commerce & Industry Inc. and its services. Your bi-monthly AGENDA Magazine will be mailed to you via Australia Post and details of the monthly functions will be emailed to you. In addition you will have your website and contact details posted to the Chamber's website, where you can also view our constitution and Board Members. Each member is responsible for making any contact details by advising the Chamber of any changes. A member may resign their membership at any time by written letter to the Chamber Executive Secretary. Any member whose subscription fee has three months or more in arrears shall, after notice in writing, not be eligible to be a member of the Gosford City Chamber of Commerce & Industry Inc.

Gosford City Chamber contacts
Executive Secretary: 200 Maree Street, Gosford 2250
Office Ph: 4323 1735
Office fax: 4323 4475
Email: info@gosfordchamber.com.au
Website: www.gosfordchamber.com.au

The Agenda Magazine
Secretary/Advertising/Production: All Values: 9412 616 377
Email: admin.advertising@gosford.com.au

Payment by cheque
Please find attached \$ _____
Signed: _____ Date: _____

Support your local Chamber
Tel: 4323 1735 Fax: 4323 4475
E: info@gosfordchamber.com.au
Web: www.gosfordchamber.com.au



As part of the Chamber Alliance Program, Gosford City Chamber of Commerce members will be entitled to become a NSW Business Chamber member under the Gosford City Chamber of Commerce membership package with limited entitlements.

Benefits to members:

Package Inclusion	Entitlements	How you Entitlement
Business Hotline 13 26 96	Unlimited calls	With just one call you are connected to the right information, support and advice for all your business operations.
Workplace Advice Line 13 26 96	3 phone calls	A dedicated members' only phone line that connects you to workplace experts to help you make the right industrial relations decisions.
"Ask Us How" business guides	Online access	A series of detailed reference guides covering a range of business issues, such as sales, marketing, business planning, OHS, people management and finance.
Online business health check (Business Vitality Express Check)	Once per year	A secure online diagnosis tool that reports on the health of your business and benchmark areas of improvement. You receive a report with recommendations on how to improve your business.
Networking and educational events	Local Chamber member rates	NSW Business Chamber events are run regularly across the state to help you increase your business network and stay up to date with topical business issues and matters.
Business magazine and website	Quarterly and monthly	Published every quarter, the Business magazine keeps you up to date with the latest business news. Every month your business is listed in our directory to your clients.
Online business directory	Annual listing	Raise your profile by promoting your business to the wider business community via the NSW Business Chamber online member directory.
Business Legal Toolkit	Limited online access	Online access to sample commercial agreements, templates and other legal business documents.
Discounts on business support tools and products	Local Chamber member rates	We offer a range of HR, IR, workplace relations, OHS and business improvement products.
Free trial of Workplace OHS	14 day trial	Workplace OHS is an online resource that helps make your workplace safe and helps you meet your OHS and safety obligations.
Free trial of Workplace Info	14 day trial	Workplace Info is the ultimate online workplace relations resource that helps you manage all your IR, HR and payroll matters.

Joining full NSWBC Membership: Full NSWBC Membership at a discounted rate on next renewal of membership on condition of retaining Gosford City Chamber of Commerce membership.

Gosford City Chamber of Commerce Members: Opportunity to obtain full NSWBC membership at a discounted rate on condition of retaining Gosford City Chamber of Commerce membership.

I am already a member of the NSW Business Chamber

I apply for the Local Chamber Limited Membership of NSW Business Chamber (at no additional cost)

NSW Business Chamber membership declaration

I, being the Applicant (or authorized by the Applicant) hereby apply for the Local Chamber Limited Membership of NSW Business Chamber (NSWBC) as part of the Alliance with our Local Chamber (referred to above), and agree to be bound by the NSWBC constitution and terms and conditions as attached from time to time and available on the NSWBC website at www.nswbusinesschamber.com.au/termsandconditions.

I acknowledge and agree that our NSWBC membership benefits and entitlements are as set out in the Schedule to this application. I understand and agree that our membership of the NSWBC is for a period of 12 months and the renewal of our membership for further periods of 12 months each is subject to our Local Chamber renewing the Local Chamber Alliance Agreement with NSWBC each year and our business continuing to be a member of our Local Chamber. I understand and agree that our NSWBC membership benefits and entitlements may vary by agreement between the NSWBC and our Local Chamber.

Signature: _____ Date: _____

Print Name: _____

