



**Haemochromatosis Australia**

Inherited Iron overload disorder

# Constitution

11 August 2012

# Haemochromatosis Australia

## 1. NAME

- 1.1 The name of the incorporated Association shall be **“Haemochromatosis Australia”** (in these rules called "the Association").

## 2. INTERPRETATION AND DEFINITIONS

In these rules unless otherwise stated the words below shall have the following meaning:

- 2.1 **“Management Committee”** shall mean the elected or appointed members of the Management Committee of the Association.
- 2.2 **“Branch”** shall mean the groups of members in each location as approved by the Management Committee.
- 2.3 **“Branch Committee”** shall mean the committee elected or appointed by the Branch in each location to coordinate activities within that location.
- 2.4 **“By-law”** means a bylaw, regulation or policy made by the Management Committee under clause 25.
- 2.5 **“General Meeting”** shall mean any annual or any special general meeting of the Association.
- 2.6 **“Member”** shall mean a registered financial individual member of the Association.
- 2.7 **“State Acts”** or **“The Acts”** shall mean the state Associations incorporation legislation (by whatever name called) under which the Association may be incorporated.
- 2.8 **“Branch Delegate”** shall mean the persons elected or appointed from time to time by the Branch Committee to act for and on behalf of that Branch and represent the Branch at General Meetings or likewise.
- 2.9 Words importing the singular number only shall include the plural number and vice versa; words importing the masculine gender shall include the feminine gender; and words importing persons shall include corporations.

### 3. COMPLIANCE OF BRANCH COMMITTEES

Each Branch Committee and its members shall:

- 3.1 Be named by the location in which they are situated
- 3.2 Be a part of the Association under the incorporation of the Haemochromatosis Society Australia Inc
- 3.3 Elect their own Branch Committee to coordinate activities for the Association within their location.
- 3.4 Do all that is reasonably necessary to assist the objects of the Association to be achieved.
- 3.5 Apply its capacity solely in pursuit of the objectives of the Association.
- 3.6 Elect or appoint one delegate to represent it at General Meetings in person or by other means.
- 3.7 Operate with and promote mutual trust and confidence between the Association and members of the Association.
- 3.8 Conduct their Branch meetings using the rules for conduct of meetings laid down in the Constitution of the Association as guidelines.
- 3.9 Transfer all membership fees and member donations to the National Association.
- 3.10 Retain control of funds raised within the Branch by their own labour and to use such funds within their Branch for the benefit of the Association as a whole.
- 3.11 Obtain prior authorization from the Management Committee for any individual expense item in excess of \$250.00.
- 3.12 Payment of accounts or re-imbusement of expenses can only be effected by presentation of account or receipt to the Management Committee.
- 3.13 Provide the Management Committee with an expense budget for the coming year before 30<sup>th</sup> June of the current year.
- 3.14 Provide the Management Committee with annual copies of accounts, annual report of activities and other associated documents within the time specified from time to time by the Management Committee to allow for smooth running of the affairs of the Association.
- 3.15 Provide to the Management Committee within two weeks from the end of the financial year a statement of income, expenditure, assets and liabilities.

## 4. OBJECTIVES

The objectives for which the Association is established are -

- 4.1 To provide physical and emotional support, counselling, information and encouragement to individuals and families suffering from Haemochromatosis, through the group process.
- 4.2 To provide opportunities to meet other individuals, families and groups affected with Haemochromatosis.
- 4.3 To provide information and resources regarding Haemochromatosis and its management through any media available.
- 4.4 To liaise with the medical profession and other interested parties whenever possible\required, so that a greater mutual appreciation of the disorder can be achieved.
- 4.5 To encourage and maintain a high interest in research of the disorder,
- 4.6 To seek sponsorship and retain the support group as a non-profit organisation.
- 4.7 To hold meetings to confirm latest information received and to distribute this knowledge to all members via the communication network.

## 5. POWERS

- 5.1 The Association has, in the exercise of its affairs, all the powers of an individual,
- 5.2 The Association may, for example
  - a) Enter into contracts; and
  - b) Acquire, hold, deal with and dispose of property; and
  - c) Make charges for services and facilities it supplies; and
  - d) Do other things necessary or convenient to be done in carrying out its affairs.
- 5.3 The Association may also issue secured and unsecured notes, debentures and debenture stock for the Association.

## 6. CLASSES OF MEMBERSHIP

- 6.1 The membership of the Association shall consist of ordinary members, and any of the following classes of members:
- a) Honorary members
  - b) Concession members
  - c) Life members.
- 6.2 The number of ordinary, honorary members and concession members shall be unlimited.
- 6.3 Honorary membership may be admitted after recommendation and consideration by the Management Committee. Honorary members may vote at meetings and hold office.
- 6.4 Concession members may only be admitted after consideration by the Management Committee. Concession members may vote at meetings and may hold office
- 6.5 An application for membership shall be made in writing, signed by the applicant or be in such form as the Management Committee from time to time may prescribe.
- 6.6 A member becomes a Life Member upon payment of the fee set in sub-clause 7.1. Life membership will apply for the life of the member unless the membership is terminated in accordance with clause 9 'Termination of membership'. Life members may vote at meetings and may hold office.

## 7. MEMBERSHIP FEES

- 7.1 The membership fees for each class of membership shall be such sum as the members shall from time to time at any general meeting so determine.
- 7.2 The membership fees for each class of membership shall be payable at such time and in such manner as the Management Committee shall from time to time determine.
- 7.3 As soon as practicable after the commencement of the financial year, the membership shall be advised via the newsletter of any change in membership fees.
- 7.4. Membership fees for life members will be paid once in the year of application for membership. No further membership fees will be payable in future financial years.

## 8. ADMISSION AND REJECTION OF MEMBERS

- 8.1 At the next meeting of the Management Committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the Management Committee, who shall thereupon determine upon the admission or rejection of the applicant.
- 8.2 Any applicant who receives a majority of the votes of the members of the Management Committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
- 8.3 Upon the acceptance or rejection of an application for any class of membership the Secretary shall forthwith give the applicant notice in writing of such acceptance or rejection.

## 9. TERMINATION OF MEMBERSHIP

- 9.1 A member may resign from the Association at any time by giving notice in writing to the Secretary.
- 9.2 Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.
- 9.3 The Management Committee shall consider whether the member's membership shall be terminated if the member -
  - a) Is convicted of an indictable offence; or
  - b) Fails to comply with any of the provisions of these rules; or
  - c) Has membership fees in arrears for a period of 2 months or more; or
  - d) Conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the Association

## 10. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

- 10.1 A person whose application for membership has been rejected or whose membership has been terminated, may within one month of receiving written notification thereof, lodge with the Secretary written notice of the person's intention to appeal against the decision of the Management Committee.
- 10.2 Upon receipt of a notification of intention to appeal against rejection or termination of membership the Secretary shall convene, within two months of the date of receipt by the Secretary of such notice, a general meeting to determine the appeal.
- 10.3 At any such meeting the applicant shall be given the opportunity to fully present the applicant's case and the Management Committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case.

- 10.4 The appeal shall be determined by the vote of the members present at such meeting.
- 10.5 Where a person, whose membership is terminated or rejected, does not appeal against the decision of the Management Committee within the time prescribed by these rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any subscription paid.

## 11. REGISTER OF MEMBERS

- 11.1 The Management Committee shall cause a register to be kept in which shall be entered the names and residential addresses of all persons admitted to membership of the Association and the dates of their admission.
- 11.2 Particulars shall also be entered into the register of deaths, resignations, terminations and reinstatements of membership and any further particulars as the Management Committee or the members at any general meeting may require from time to time.
- 11.3 The register shall be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.

## 12. SECRETARY

- 12.1 The Secretary must be an individual residing in Queensland who is -
- a) A member of the Association elected by the Association as Secretary; or
  - b) A member of the Association's Management Committee appointed by the committee as Secretary; or
- 12.2 If a vacancy happens in the office of Secretary, the members of the Management Committee must appoint or elect a Secretary within 14 days after the vacancy happens.

## 13. MEMBERSHIP OF THE MANAGEMENT COMMITTEE

- 13.1 The Management Committee of the Association shall consist of a President, Vice-President, Secretary and Treasurer, all of whom shall be members of the Association, and a maximum of four other members as the members of the Association at any general meeting may from time to time elect or appoint.
- 13.2 A member who has concluded a term as President at the Annual General Meeting may be appointed to the Management Committee, by the members present at the Annual General Meeting, as Immediate Past President, which office may be held concurrent with any other office.

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- 13.3 At the annual general meeting of the Association, all the members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.
- 13.4 The election of officers and other members of the Management Committee shall take place in the following manner -
- a) any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the committee;
  - b) the nomination, which shall be in writing and signed by the member and the member's proposer and seconder, shall be lodged with the Secretary at least one month before the annual general meeting at which the election is to take place;
  - c) a list of the candidates' names in alphabetical order, with the proposers' and seconders' names, shall be posted in a conspicuous place in the office or usual place of meeting of the Association for at least twenty-eight days immediately preceding the annual general meeting;
  - d) Any member may request a postal voting paper prior to the Annual General Meeting. The completed ballot papers should be received by the Secretary at the latest four days prior to the Annual General Meeting.
  - e) Balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the Annual General Meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies.
  - f) If there be no nominations for a position at the commencement of such meeting, nominations may be taken from the floor of the meeting.
  - g) If there is only one nomination for a position, that person shall be considered elected to that position.

## 14. RESIGNATION OR REMOVAL FROM OFFICE OF A MEMBER OF THE MANAGEMENT COMMITTEE

- 14.1 Any member of the Management Committee may resign from membership of the Management Committee at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.
- 14.2 A member of the Management Committee or of a Branch Committee may be removed from office at a general meeting of the Society where that member shall be given the opportunity to fully present his or her case.
- 14.3 The question of removal shall be determined by the vote of the members present at such a General Meeting.



- 14.4 There is no right of appeal against a member's removal from office under this section.

## 15. VACANCIES ON THE MANAGEMENT COMMITTEE

- 15.1 The Management Committee shall have power at any time to appoint any member of the Association to fill any casual vacancy on the Management Committee until the next Annual General Meeting.
- 15.2 The continuing members of the Management Committee may act notwithstanding any casual vacancy on the Committee, but if and so long as their number is reduced below the number fixed by or pursuant to these rules as the necessary quorum of the committee, the continuing member or members may act for the purpose of increasing the number of members of the committee to that number or of summoning a General Meeting of the Association, but for no other purpose.

## 16. FUNCTIONS OF THE MANAGEMENT COMMITTEE

- 16.1 Except as otherwise provided by these rules and subject to resolutions of the members of the Association carried at any general meeting, the Management Committee shall –
- a) Have the general control and management of the administration of the affairs, property and funds of the Association; and
  - b) Have authority to interpret the meaning of these rules and any matter relating to the Association on which these rules are silent.
- 16.2 The Management Committee may exercise all the powers of the Association
- a) To borrow or raise or secure the payment of money in such manner as the members of the Association may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future, and to purchase, redeem or pay off any such securities;
  - b) To borrow amounts from members and to pay interest on the amounts borrowed and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association, and to provide and pay off any such securities; and
  - c) To invest in such manner as the members of the Association may, from time to time determine.

- 16.3 For sub-section 16.2b the rate of interest must not be more than the rate for the time being charged for overdrawn accounts for money lent (whatever the term of the loan) by -
- a) The financial institution for the Association; or
  - b) If there is more than one financial institution for the Association - the financial institution nominated by the Association.

## 17. MEETINGS OF THE MANAGEMENT COMMITTEE

- 17.1 The Management Committee shall meet at least once every four calendar months to exercise its functions.
- 17.2 The manner in which the meeting is called and notice of that meeting will be decided by the Management Committee.
- 17.3 For the purposes of these rules, the contemporaneous linking together by the telephone, radio, closed circuit television or any other electronic means of audio or audio-visual communication or other means of communication of a number of Management Committee members not less than the quorum shall be deemed to constitute a meeting of the Management Committee. All provisions in these rules as to meetings of the Management Committee shall apply to such meetings as long as the following conditions are met:
- a) All the Management Committee members for the time being entitled to receive notice of a meeting of the Management Committee shall be entitled to notice of a meeting by telephone or other means of communication and shall be linked by telephone or such other means for the purpose of such meeting. Notice of any such meeting may be given on the telephone or by other means of communication:
  - b) Each of the members of the Management Committee taking part in the meeting by telephone must be able to hear each of the other members taking part at the commencement of the meeting;
  - c) At the committee meeting each member of the Management Committee must acknowledge his presence for the purpose of a meeting of the Management Committee of the Association to all the other members taking part.
- 17.4 A member of the Management Committee may not leave the meeting by disconnecting his telephone or other means of communication unless he has previously obtained the express consent of the chairperson and a member shall be conclusively presumed to have been present and to have formed part of the quorum at all times during the meeting by telephone or other means of communication of the meeting.

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- 17.5 A minute of the proceedings at such a meeting by telephone or other means of communication shall be sufficient evidence of such proceeding and to the observance of all necessary formalities if certified as correct minute by the Chairperson of the meeting and the Secretary.
- 17.6 A Special Meeting of the Management Committee shall be convened by the Secretary on the requisition in writing signed by not less than one-third of the members of the Management Committee, which requisition shall clearly state the reasons why such Special Meeting is being convened and the nature of the business to be transacted thereat.
- 17.7 At every meeting of the Management Committee a simple majority of a number equal to the number of members elected and or appointed to the Management Committee as at the close of the last General Meeting of the of the members shall constitute a quorum.
- 17.8 Subject as previously provided in this section, the Management Committee may meet together and regulate its proceedings as it thinks fit.
- 17.9 Questions arising at any meeting of the Management Committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- 17.10 A member of the Management Committee shall not vote in respect of any contract or proposed contract with the Association in which the member is interested, or any matter arising thereout, and if the member does so vote the member's vote shall not be counted.
- 17.11 Not less than 14 days notice shall be given by the Secretary to members of the Management Committee or a of any Special Meeting of the Management Committee
- 17.12 Such notice shall clearly state the nature of the business to be discussed thereat.
- 17.13 The President shall preside as Chairperson at every meeting of the Management Committee, or if there is no President, or if at any meeting the President is not present within 10 minutes after the time appointed for holding the meeting, the Vice-President shall be Chairperson or if the Vice-President is not present at the meeting then the members may choose one of their number to be Chairperson of the meeting.
- 17.14 If within half an hour for the time appointed for the commencement Management Committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Committee, shall lapse.
- 17.15 In any other case it shall stand adjourned to the same day in the next week at the

same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.

## 18. DELEGATION OF POWERS OF MANAGEMENT COMMITTEE

- 18.1 The Management Committee may delegate any of its powers to a subcommittee consisting of such members of the Association as the Management Committee thinks fit.
- 18.2 Any subcommittee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Management Committee.
- 18.3 A subcommittee may elect a Chairperson of its meetings.
- 18.4 If no such Chairperson is elected, or if at any meeting the Chairperson is not present within 10 minutes after the time appointed for holding the meeting, the members present may choose one of their numbers to be Chairperson of the meeting.
- 18.5 A subcommittee may meet and adjourn as it thinks appropriate.
- 18.6 Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

## 19. ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

- 19.1 All acts done by any meeting of the Management Committee or a subcommittee or by any person acting as a member of the Management Committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Management Committee or person acting as aforesaid, or that the members of a committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Management Committee.

## 20. RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

- 20.1 A resolution in writing signed by all the members of the Management Committee for the time being entitled to receive notice of a meeting of the Management Committee shall be as valid and effectual as if it had been passed at a meeting of the Management Committee duly convened and held.

- 20.2 Any such resolution may consist of several documents in like form, each signed by one or more members of the Management Committee.

## 21. ANNUAL GENERAL MEETINGS

- 21.1 Each subsequent Annual General Meeting must be held -
- (a) Once each year; and
  - b) Within 3 months after the end of the previous financial year of the Association.

## 22. BUSINESS TO BE TRANSACTED AT ANNUAL GENERAL MEETING

- 22.1 The following business must be transacted at every Annual General Meeting
- a) The receiving of the statement of income and expenditure, assets and liabilities and of mortgages, charges and securities affecting the property of the Association for the last financial year;
  - b) The receiving of the auditor's report on the financial affairs of the Association for the last financial year;
  - c) The presenting of the audited statement to the meeting for adoption;
  - d) The election of members of the committee; (Nomination Form Appendix 2);
  - e) The appointment of an auditor.
- 22.2 The Management Committee may present a motion to the AGM proposing that a person be invited to be the Patron of the association. The patron may, or may not be a member of the Association
- 22.3 A person who is Patron of the association shall retain this office until they resign or are removed or replaced following a motion presented to the AGM by the Management Committee.

## 23. SPECIAL GENERAL MEETING

- 23.1 The Secretary shall convene a Special general meeting by sending out notice of the meeting within 14 days of.-
- a) Being directed to do so by the Management Committee; or
  - b) Being given a requisition in writing signed by not less than one-third of the members presently on the Management Committee or not equals double the

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number of members presently on the Management Committee to reject an application for membership or to terminate the membership of any person.

- c) Being given a notice in writing of an intention to appeal against the decision of the Management Committee to reject an application for membership or to terminate the membership of any person.

23 A requisition mentioned in subsection 23.1b shall clearly state the reasons why such Special General Meeting is being convened and the nature of the business to be transacted thereat.

### 24. QUORUM AT MEETINGS

24.1 a) The quorum for a general meeting is at least the number of members elected or appointed to the management committee at the close of the association's last general meeting plus 1.

b) However, if all members of the association are members of the management committee, the quorum is the total number of members less 1.

24.2 No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business.

24.3 For the purposes of this rule "Member" includes a person attending as a proxy or as representing a corporation which is a member.

24.4 If within half an hour from the time appointed for the commencement of a General Meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee or the Association, shall lapse.

24.5 In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

24.6 The Chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

24.7 When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.

24.8 Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

## 25. NOTICE OF GENERAL MEETING

- 25.1 The Secretary shall convene all General Meetings of the Association by giving not less than 14 days notice of any such meeting to its members.
- 25.2 The manner by which such notice shall be given shall be determined by the Management Committee.
- 25.3 However, notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the Management Committee, shall be given in writing.
- 25.4 Notice of a General Meeting shall clearly state the nature of the business to be discussed thereat.

## 26. PROCEDURE AT GENERAL MEETING

- 26.1 Unless otherwise provided by these rules, at every General Meeting -
- a) The President shall preside as Chairperson, or if there is no President, or if the President is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-President shall be the Chairperson or if the Vice-President is not present or is unwilling to act then the members present shall elect one of their number to be Chairperson of the meeting.
- a) The Chairperson shall maintain order and conduct the meeting in a proper and orderly manner.
- b) Every question, matter or resolution shall be decided by a majority of votes of the members present.
- c) Every member present shall be entitled to one vote and in the case of an equality of votes the Chairperson shall have a second or casting vote.
- d) No member shall be entitled to vote at any general meeting if the member's annual subscription is more than one month in arrears at the date of the meeting.
- e) Voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot.
- f) The Chairperson shall appoint two members to conduct the secret ballot in such manner as the Chairperson shall determine and the result of the ballot as declared by the Chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded.
- g) A member may vote in person or by proxy or by attorney and on a show of

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hands every person present who is a member or a representative of a member shall have one vote unless a postal vote has already been requested by and returned completed by that member.

- h) The instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointer or of the appointer's attorney duly authorized in writing or, if the appointor is a corporation, either under seal or under the hand of an officer or attorney duly authorized.
  - i) A proxy may but need not be a member of the Association.
  - j) The instrument of appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot.
  - k) Where it is desired to afford member an opportunity of voting for or against a resolution, the instrument appointing a proxy shall be in the form of, or a form as near thereto, as shown in the Proxy Form - Appendix 1.
  - l) The instrument appointing a proxy shall be deposited with the Secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- 26.2 The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that inspection.
- 26.3 For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding committee meeting verifying their accuracy.
- 26.4 Similarly, the minutes of every General Meeting shall be signed by the Chairperson of that meeting or the Chairperson of the next succeeding General Meeting.
- 26.5 However, the minutes of any Annual General Meeting shall be signed by the Chairperson of that Meeting or the Chairperson of the next succeeding General Meeting or Annual General Meeting.

## 27. BY-LAWS

- 27.1 The Management Committee may from time to time make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Association and any by-law may be set aside by a General Meeting of members.



## 28. ALTERATION OF RULES

- 28.1 Subject to the provisions of the *Associations Incorporation Act 1981*, these rules may be amended, rescinded or added to from time to time by a Special resolution carried at any General Meeting.
- 28.2 However an amendment, rescission or addition is valid only if it is registered by the chief executive of the Department administering the Act.

## 29. COMMON SEAL

- 29.1 The Management Committee shall provide for a common seal and for its safe custody.
- 29.2 The common seal shall only be used by the authority of the Management Committee and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the Secretary or by a second member of the Management Committee or by some other person appointed by the Management Committee for the purpose.

## 30. FUNDS AND ACCOUNTS

- 30.1 The funds of the Association must be kept in the name of the Association in a financial institution decided by the Management Committee
- 30.2 Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- 30.3 All moneys shall be deposited as soon as practicable after receipt thereof.
- 30.4 All amounts of \$100 or over shall be paid either;
- a) by cheque signed by any two of the President, Secretary, Treasurer or other member authorised from time to time by the committee, or
  - b) by electronic transfer conducted by the Treasurer in accordance with authority given in writing by the management committee.
- 30.5 Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupment which may be open.
- 30.6 The Management Committee shall determine the amount of petty cash which shall be kept on the imprest system.

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- 30.7 All expenditure shall be approved or ratified at a Management Committee meeting.
- 30.8 As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing the particulars of -
- a) The income and expenditure for the financial year just ended; and
  - b) The assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.
- 30.9 If the Association is incorporated within three months of the end of the Association's financial year, subsection (8) does not apply for the financial year the Association is incorporated.
- 30.10 The auditor must examine the statement prepared under subsection (8) and present a report on it to the Secretary before the next Annual General Meeting following the financial year for which the audit was made.
- 30.11 The assets and income of the organisation shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

## 31. DOCUMENTS

- 31.1 The Management Committee shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

## 32. FINANCIAL YEAR

- 32.1 The financial year of the Association shall close on 30th June in each year.

### 33. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

33.1 This section applies if the Association is wound-up under part 10 of the Act and there are surplus assets.

33.2 The surplus assets must not be distributed among the members but must be given to another entity.

- a) That has objects similar to the Association's objectives; and
- b) The rules of which prohibit the distribution of the entity's income and assets to its members.

33.3 If the association is wound-up or the endorsement of the organisation as a deductible gift recipient is revoked, the following assets remaining after payment of the Association's liabilities shall be transferred to a fund, authority or institution to which income tax deductible gifts can be made:

- Gifts of money or property for the principal purposes of the Association
- Contributions made in relation to an eligible fundraising event held for the principal purposes of the Association
- Money received by the Association because of such gifts and contributions.

**APPENDIX 1 – PROXY FORM**

**HAEMOCHROMATOSIS AUSTRALIA**

I.....**of**.....  
(please print)

**being a member of the abovementioned Association, hereby appoint**

**(name)**.....  
(please print)

**of**.....

as my proxy to vote for me on my behalf at the (Annual) General Meeting of the Association, to

be held on ..... and at any adjournment thereof.

This form is to be used *\*in favour of*  
*\*against* the resolution

Signature of Proxy.....

Name of Proxy.....  
(please print)

Date.....

\*Strike out whichever is not desired.

Constitution of Haemochromatosis Australia

(Unless otherwise instructed, the proxy may vote as the proxy thinks fit.);

**APPENDIX 2 - NOMINATION FORM FOR MANAGEMENT COMMITTEE MEMBERS**

**Nominee's Name** .....  
(print name)

**I wish to nominate (or accept nomination for) the position of**.....

**Signature of Nominee:** .....

Proposed by:

**Name:** ..... **Signature:** .....  
(please print name)

Seconded by:

**Name:** ..... **Signature:** .....  
(please print name)

**Positions on the Management Committee** of the Haemochromatosis Society Australia Inc Management Committee are:

- President
- Vice President
- Secretary
- Treasurer
- General Members

**Note:** Every nominee for the Management Committee must be proposed and seconded by a member of Haemochromatosis Australia.

**CONSTITUTION CERTIFICATION:**

I hereby certify this is a true copy of the rules of the Haemochromatosis Australia current as at 11 August 2012.

Signed

PRESIDENT

Date:

Signed

SECRETARY

Date: