

ADVOCACY FOR INCLUSION INCORPORATED

CONSTITUTION

PREAMBLE

Advocacy for Inclusion (AfI) Incorporated is a not-for-profit community organisation that provides advocacy support for people with disability, residing in the Australian Capital Territory (ACT) and region. AfI does this through individual, systemic and self-advocacy for people with disability.

Advocacy for Inclusion Incorporated (A.B.N. 90 670 934 099) was incorporated on 18 July 2005 as an association under the *Associations Incorporation Act 1991* (ACT).

1. NAME

The name of the Association is *Advocacy for Inclusion Incorporated* (in this Constitution called ‘the Association’).

2. DEFINITIONS AND INTERPRETATIONS

2.1 In this Constitution:

“**advocate**” refers to a person who primarily represents the interests of a person with disability in a way consistent with the expressed wishes of the person with disability, or who acts in the best interests of the person with disability where he or she is unable to express his or her wishes, in order to assist the person with disability to exercise control over his or her life.

“**advocacy**” refers to a process in which an advocate assists, or acts on behalf of, a person or group of persons who have disability, to address actual or perceived grievances of an individual or systemic nature.

“**consumer(s)**” means any person (or persons) whom the Association assists through advocacy.

“**Committee**” means the Committee of the Association, established pursuant to section 9.

“**gift fund**” means the fund referred to in section 19.

“**individual advocacy**” refers to seeking to uphold the rights and interests of people with disability on a one-to-one basis by addressing areas of need.

“**member of the Association**” means any person whose name appears on the Register of Members at the relevant time.

“**notice**” includes both written and electronic forms of communication, including email and fax.

“**self-advocacy**” means supporting people with disability to advocate on their own behalf, to the extent possible, on a one-to-one basis.

“**systemic advocacy**” means seeking to influence or secure positive long-term changes that remove barriers and address discriminatory practices to ensure that the collective rights and interests of people with disability are upheld.

2.2 The provisions of the *Interpretation Act 1967* apply to any word or expression which is not defined in these rules.

3. VISION, MISSION, OBJECT AND PURPOSES OF THE ASSOCIATION

3.1 The Association is committed to the vision of a society in which people with disability live inclusive and meaningful lives as part of the community, in accordance with United Nations Conventions on the Rights of Persons with Disabilities.

3.2 The Association is a Disabled Peoples Organisation, which means it is majority owned and managed by people with disabilities.

3.3 The Mission of the Association is to provide advocacy services to people with disability residing in the Australian Capital Territory (ACT) and region, to enable each individual to overcome discrimination and empower each individual to control their lives and participate in the community.

3.4 The Association’s Object is to overcome the poverty, and the social and economic disadvantages resulting from disability. It shall do this by:

(a) providing individual and systemic advocacy for people with disability;

(b) providing training for people with disability in self-advocacy skills, and support for people with disability to exercise self-advocacy in their daily lives;

(c) influencing policies of Governments and society to support the principles of inclusion of people with disability in the life of the community;

(d) providing information to people with disability; and

(e) providing information and advice to Government and the community on practices for inclusion, and the rights, of people with disability.

3.5 The Association seeks to provide advocacy as an intervention to remedy the infringement of social justice for a person with disability. Social justice underpins all forms of advocacy provided by the Association, and comprises four key components:

(a) Access – to services, education, health care, legal representation;

(b) Equity – getting what is needed (not equality, which is everyone getting the same);

(c) Participation – inclusion, decision making processes; and;

(d) Rights and responsibilities – abuse of rights, duty of care.

4. FUNCTIONS AND POWERS

The Association has, subject to the law, power to do all things necessary or convenient to be done for, or in connection with, the achievement of its purpose or the carrying out of its activities.

5. NOT-FOR-PROFIT STATUS AND REIMBURSEMENTS

- 5.1 The Association is a not-for-profit organisation.
- 5.2 The property and income of the Association shall be used only for its purpose.
- 5.3. No portion of the property and income of the Association shall be paid or transferred directly or indirectly, to any member of the Association.
- 5.4 Nothing in subclause 5.3 shall prevent the payment in good faith to a member, officer or servant of the Association, of:
- (a) the price of any goods or services supplied to the Association in the ordinary course of business;
 - (b) reasonable out-of-pocket expenses incurred when acting on behalf of the Association;
 - (c) interest at a rate not exceeding the current bank rate on monies borrowed by the Association; or
 - (d) reasonable or proper rent for premises leased to the Association.
- 5.5 The Association is prohibited from paying fees to its Committee members.
- 5.6 Notwithstanding subclause 5.5, each Committee member is entitled to reimbursement of his/her reasonable expenses incurred in performing his/her duties as a Committee member.
- 5.7 All payments made by the Association to any of its Committee members must be approved by the Committee.

6. MEMBERSHIP

- 6.1 (1) Classes of membership

There are two classes of membership:

- (a) full membership; and
- (b) associate membership.

- (1) Full membership

A person is qualified to be a full member if -

- (i) that person believes in the values, mission, objects and purposes of the Association.
- (ii) is a person with disability;
 - (b) that person has:
- (iii) applied for membership in accordance with subclause 6.2;
- (iv) been approved for membership of the Association, by the Committee of the Association;
- (v) not ceased to be a member of the Association at any time after incorporation of the Association under the Act in accordance with subclause 6.13; and
- (vi) registered an intent to continue to be a member no later than the commencement of an annual general meeting as specified under subclause 13.1.

(2) Associate membership

Associate membership is open to:

- (a) People without disability or organisations who:
 - (i) believes in the values, mission, objects and purposes of the Association.
 - (ii) applied for membership in accordance with subclause 6.2;
 - (iii) been approved for membership of the Association, by the Committee of the Association;
 - (iv) not ceased to be a member of the Association at any time after incorporation of the Association under the Act in accordance with subclause 6.13; and
 - (v) registered an intent to continue to be a member no later than the commencement of an annual general meeting as specified under subclause 13.1.

(3) Full Members have the right to vote at general meetings.

(4) Associate Members cannot vote at general meetings but may attend the general meeting and, if the person chairing the general meeting permits, may speak at the general meeting.

6.2 An application for membership of the Association -

- (a) must be made through a membership form; and
- (b) must be lodged with the Committee of the Association.

- 6.3 A register of members shall be kept by the Association. The register will record the full name and address of each member.
- 6.4 As soon as is practicable after receiving an application for membership, the Committee must decide whether to approve or to reject the application.
- 6.5 If the Committee decides to approve an application for membership, the Committee must as soon as practicable after that decision notify the applicant of that approval and (if applicable) request the applicant to pay within 28 days after receipt of the notification any sum payable as a first year's annual membership fee.
- 6.6 Where the minutes of a Committee meeting record a person's application for membership as having been accepted, the person shall be deemed to be a member from the close of that meeting, notwithstanding that the person's name has not yet been duly recorded in the register of members.
- 6.7 If an applicant is unhappy with the decision of the Committee, he/she can appeal against that decision by the process outlined in subclause 8.7 below.
- 6.8 Members of the Association will:
- (a) have the right to attend and vote at general meetings of the Association, and
 - (b) receive information from the Association in the form of newsletters and other material in written or electronic form from time to time.
- 6.9 Membership rights are not transferable. A right, privilege or obligation that a person has because of being a member of the Association –
- (a) cannot be transferred or transmitted to another person; and
 - (b) terminates on cessation of the person's membership.
- 6.10 It is a condition of membership that a person agrees to act in accordance with the Constitution and By-laws of the Association.
- 6.11 A person ceases to be a member of the Association if the person –
- (a) dies; or
 - (b) resigns from the membership of the Association; or
 - (c) is expelled from the Association; or
 - (d) fails to renew membership fees (if applicable); or
- if the Association is dissolved.
- 6.12 Any member may resign from the Association by advising the Committee in writing. The resignation shall take effect at the time the notice is received, unless the notice specifies a later date, in which case the resignation shall take effect at that later date. The Association will record the date that the person ceased to be a member in the register.

- 6.13 The liability of a member to contribute towards the payment of the debts and liabilities of the Association on the costs, charges and expenses in winding up the Association is limited to the amount (if any) unpaid by the member in relation to membership fees of the Association (if applicable).

7. MEMBERSHIP FEES

- 7.1 The Committee may, from time to time, recommend a membership fee.
- 7.2 If it is required, an annual membership fee shall be paid by each member. The Committee may recommend a pro-rata subscription rate for members joining the Association during the year.
- 7.3 The annual membership fee (if any) shall be payable in such manner as the Committee shall from time to time determine.
- 7.4 The Committee may waive all or part of any membership fee due.

8. DISCIPLINE OF MEMBERS AND APPEALS

- 8.1 If the Committee is of the opinion that a member –
- (a) has persistently refused or neglected to comply with rules under this Constitution or with any By-laws of the Association; or
 - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the Association; or
 - (c) has membership fees in arrears for a period of twelve (12) months or more.
- then the Committee may, by resolution -
- (a) warn the member;
 - (b) suspend the member from the rights and privileges of membership of the Association for a specified period; or
 - (c) expel the member from the Association.
- 8.2 A resolution of the Committee under subclause 8.1 is of no effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after service of a notice on a member, confirms the resolution in accordance with this section.
- 8.3 If the Committee rejects an application for membership under subclause 6.3 or passes a resolution under subclause 8.1, the Committee must, as soon as practicable, serve a written notice on the applicant for membership or member –
- (a) setting out the resolution of the Committee and the grounds on which it is based; and
 - (b) stating that the applicant or member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice; and

- (c) stating the date, time and place of that meeting; and
- (d) informing the applicant or member that the applicant or member may do either or both of the following:
 - (i) attend and speak at that meeting;
 - (ii) submit to the Committee at or before the date of that meeting written representations relating to the resolution.

8.4 At any meeting as mentioned in subclause 8.2, the Committee must -

- (a) give to the applicant for membership or member an opportunity to make oral representations; and
- (b) give due consideration to any written representations submitted to the Committee by that applicant for membership or member at or before the meeting; and
- (c) by resolution decide whether to confirm or to revoke the resolution of the Committee made under subclause 6.4 or subclause 8.1.

8.5 If the Committee rejects an application for membership under subclause 6.4 or confirms a resolution under subclause 8.4(c), the Committee must within seven (7) days after that confirmation, by notice inform the applicant for membership or member of that decision and of the applicant's or member's right to appeal under subclause 8.7.

8.6 A rejection of an application for membership under subclause 6.4 or a resolution confirmed by the Committee under subclause 8.4(c) does not take effect -

- (a) until the end of the period within which the applicant for membership or member is entitled to appeal against the resolution if the applicant or member does not exercise the right of appeal within that period; or
- (b) if within that period the applicant for membership or member exercises the right of appeal – unless and until the Association confirms the resolution in accordance with subclause 8.8.

8.7 An applicant for membership or member may appeal to the Association in general meeting against a resolution of the Committee under subclause 6.4 or subclause 8.4(c), within seven (7) days after notice of the resolution is served on the applicant or member, by lodging with the Secretary or (in the absence of a Secretary) the Public Officer a notice to that effect.

8.8 On receipt of a notice under subclause 8.7, the Secretary or Public Officer must notify the Committee which must call a general meeting of the Association to be held within 21 days after the date when the Secretary or Public Officer received the notice or as soon as possible after that date.

8.9 At any general meeting called under subclause 8.8 –

- (a) no business other than the appeal may be transacted; and

- (b) the Committee and the applicant for membership or member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
- (c) the members present must vote by secret ballot on the question of whether the resolution made under subclause 6.4 or subclause 8.4(c) should be confirmed or revoked.

8.10 If the general meeting passes a special resolution in favour of the confirmation of the resolution made under subclause 6.4 or under subclause 8.4(c), that resolution is confirmed.

9. COMMITTEE

9.1 The Committee, subject to these rules and to any resolution passed by the Association in general meeting –

- (a) controls and manages the affairs of the Association; and
- (b) may exercise all functions that may be exercised by the Association other than those functions that are required by Law and by these rules to be exercised by the Association in general meeting; and
- (c) shall have the authority to interpret the meaning of these rules and any other matter relating to the Association where these rules are silent; and
- (d) must appoint a Public Officer from the membership of the Association; and
- (e) must provide for the safe custody of all books, documents, instruments of title and securities of the Association; and
- (f) otherwise has the power to perform all 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.

9.2 The Committee consists of –

- (a) the office-bearers of the Association; and
- (b) up to three ordinary Committee members;

each of whom must be elected under subclauses 9.7, 9.10, 9.11, or 9.12, or appointed in accordance with subclause 9.21.

9.3 The office-bearers of the Association are –

- (a) the Chairperson; and
- (b) the Deputy Chairperson; and
- (c) the Treasurer; and
- (d) the Secretary.

- 9.4 Each member of the Committee holds office, subject to these rules, until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- 9.5 Any full member of the Association is eligible to nominate for election as office-bearers or ordinary committee members of the Association.
- 9.6 Nominations of candidates for election as office-bearers of the Association or as ordinary committee members must be made in writing, signed by the candidate using a nomination form.
- 9.7 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected to the Committee and further nominations may be received at the annual general meeting.
- 9.8 If insufficient further nominations are received, any vacant positions remaining on the Committee are taken to be vacancies.
- 9.9 If, at the close of nominations, there are no nominations for any particular position, nominations for the positions may be received from the floor at the annual general meeting.
- 9.10 If at the close of nominations, there is only one candidate for any vacant position, that person shall be deemed to be elected at the annual general meeting
- 9.11 If the number of nominations received is equal to the number of vacancies to be filled on the Committee, the people nominated are taken to be elected to the Committee.
- 9.12 If more than one nomination is received for any office-bearer position, or if the number of nominations received exceeds the number of vacancies to be filled on the Committee, an election must be held in the following manner:
- (a) the names of nominees shall be provided to all members attending the annual general meeting; and
 - (b) balloting lists shall be prepared (if necessary) containing the names of the candidates; and
 - (c) each member who is present shall be entitled to vote for any number of candidates not exceeding the number of vacancies; and
 - (d) the election of candidates shall be by secret ballot, with the nominee receiving the most votes being declared elected; and
 - (e) a Returning Officer shall be appointed by the Committee prior to the annual general meeting to direct the election of members; and
 - (f) In the event of a tie between two or more nominees in any secret ballot for any vacancy, another round of voting shall be held..
- 9.13 A person is not eligible to simultaneously hold more than one (1) position on the Committee.

- 9.14 The Chairperson shall be responsible for the Committee's overseeing of all aspects of Association business, but has no power to direct the affairs of the Association other than through resolution of the Committee, or within the agreed policies of the Association as determined by the Committee.
- 9.15 The Deputy Chairperson shall assist the Chairperson and act for her/him in her/his absence.
- 9.16 The Treasurer's financial responsibilities are specified in section 22.
- 9.17 The Secretary shall keep minutes of –
- (a) all elections and appointments of office-bearers and ordinary Committee members; 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.
- 9.18 A vacancy in the office of a member of the Committee happens if the member –
- (a) dies; or
 - (b) ceases to be a member of the Association; or
 - (c) is removed from office under the provisions of subclause 9.20; or
 - (d) becomes an insolvent under administration within the meaning of the *Corporations Act*; or
 - (e) ceases to be legally competent; or
 - (f) is absent without the consent of the Committee from all meetings of the Committee held during a period of six (6) months.
- 9.20 If there is a vacancy in the membership of the Committee, the Committee may appoint any member of the Association to fill the vacancy and the member so appointed holds office, subject to these rules, until the conclusion of the next annual general meeting, providing that the majority of Committee members are full members of the Association.

10. COMMITTEE MEETINGS

- 10.1 The Committee must meet at least six times in each calendar year and at least once every eight weeks.
- 10.2 Additional special Committee meetings may be called by any member of the Committee.
- 10.3 Seven days notice of these Committee meetings shall be given to Committee members.

- 10.4 A quorum for Committee meetings shall be a majority of the current members of the Committee, and never less than four.
- 10.5 No business shall be conducted unless there is a quorum present. If within 30 minutes of the proposed starting time of the meeting a quorum is not present, then the meeting shall be adjourned to such other day, time and place as the Committee may determine. If the meeting was a special meeting, then the meeting shall lapse.
- 10.6 The Chairperson shall chair the meeting, or if she/he is absent the Deputy Chairperson shall chair the meeting; in the absence of both, the members present shall elect a Chairperson for the time being,
- 10.7 Whilst the meetings of the Committee shall be conducted in a manner which encourages open and full discussion, and that aims to achieve consensus within a reasonable time frame.
- 10.8 A member of Committee has one vote only, and votes by proxy at Committee meetings are not permitted.

11. BY-LAWS

- 11.1 The Committee may from time to time make, rescind, alter, modify or add to by-laws for which they are required under this Constitution, as long as they are consistent with this Constitution and with the Law.
- 11.2 Members of the Association must follow all by-laws until they are repealed either by the Committee or by resolution at a general meeting.

12. COMMITTEE DELEGATIONS

- 12.1 The Committee may, from time to time, form a sub-committee with such delegations as it sees fit.

13. MEETINGS – CONVENING, NOTICE AND CONDUCT

- 13.1 The annual general meeting of the Association must be called on the date and at the place and time that the Committee considers appropriate.
- 13.2 In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is to –
- (a) confirm the minutes of the previous annual general meeting and of any general meeting held since that meeting; and
 - (b) receive from the Committee an Annual Report on the activities of the Association during the past financial year, including any statement of accounts; and
 - (c) elect members of the Committee, including office-bearers; and
 - (d) receive the Auditor's report and appoint the Auditor for the next financial year.
- 13.3 An annual general meeting must be specified as such in the notice calling it, including the place, date and time of the meeting.

- 13.4 Members shall be given not less than 28 days notice of the annual general meeting, and the Association shall in the said notice call for nominations for positions of office holders to be elected at the meeting, and provide details of the nomination process.
- 13.5 The Committee may, whenever it considers appropriate, call a general meeting of the Association.
- 13.6 The Committee must also call a general meeting of the Association after being given notice in writing of an intention to appeal against the decision of the Committee to terminate or suspend the membership of any person, or to reject a nomination for membership, as specified under subclause 8.8.
- 13.7 The Committee must also, on the requisition in writing of not less than five (5) members, call a general meeting of the Association.
- 13.8 A requisition of members for a 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 or Public Officer; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- 13.9 If the Committee fails to call a general meeting within one month after the date when a requisition for the meeting has been lodged, any one or more of the members who made the requisition may call a general meeting to be held not later than three months after that date.
- 13.10 A general meeting called by a requisition of members specified in subclause 13.9 must be called as nearly as is practicable in the same way as general meetings are called by the Committee, and any member who thereby incurs an expense is entitled to be reimbursed by the Association for any reasonable expense so incurred.
- 13.11 The Association will give members at least 14 days notice of any general meeting, other than for an annual general meeting as specified under subclause 13.4. The notice must specify the place, date and time of the meeting and the nature of the business to be dealt with at the general meeting.
- 13.13 If the nature of the business to be dealt with at a general meeting requires a special resolution of the Association, the Association must at least 21 days before the date fixed for the holding of the general meeting, send to each member notice, specifying the nature of the business to be dealt, and the intention to propose the resolution as a special resolution. The notice must specify the place, date and time of the meeting.
- 13.14 No business other than that specified in the notice calling a general meeting may be transacted at the meeting except, for an annual general meeting, business that may be transacted under subclause 13.2.

- 13.15 A member desiring to bring any business before a general meeting may give notice of that business to the Association. The Association must include that business in the next notice calling a general meeting, after receipt of the notice from the member.
- 13.16 No item may be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- 13.17 Five (5) members present in person constitute a quorum for the transaction of the business.
- 13.18 If the meeting has been arranged at the request of the Committee, and a quorum is not present within 30 minutes of the scheduled starting time, then the meeting shall lapse. In any other case, if a quorum is not present within 30 minutes of the scheduled starting time, the members present (being not less than three (3)) shall be deemed to be a quorum.
- 13.19 Unless otherwise stated in these rules, at every annual general or general meeting:
- (a) the Chairperson shall chair the meeting, or if he/she is absent a Deputy Chairperson shall chair the meeting; in the absence of both, the members present shall elect a Chairperson for the purposes of presiding over that meeting;
 - (b) the Chairperson shall conduct the meeting in a proper and orderly way, and, on matters of policy, in a manner which encourages open and full discussion, aiming to achieve consensus wherever possible within the time available;
 - (c) a member must be a current financial member to vote at a meeting of the Association;
 - (d) a member has one vote only, which may be exercised in person or by proxy;
 - (e) voting on any issue shall be decided by a show of hands unless a secret ballot is demanded by at least three (3) members present in person or by proxy;
 - (f) if in the case of a vote by show of hands, the votes on a question are equal, the Chairperson is entitled to exercise a casting vote;
 - (g) a resolution is deemed if decided by the required majority of votes and so declared by the Chairperson; and
 - (h) the resolution so carried shall be entered into the minutes of the Association.

14. MEETINGS – ADJOURNMENT

- 14.1 The Chairperson may, with permission of any meeting where a quorum is present, adjourn the meeting. The only business to be conducted at the adjourned meeting shall be business left unfinished.
- 14.2 If a general meeting is adjourned for 14 days or more, the Association must give 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.

15. PROXIES

- 15.1 Notwithstanding that proxy votes are permitted at annual general or general meetings, no member may hold more than three (3) proxies.
- 15.2 A member intending to exercise the right to a proxy shall give notice of this intention to the Chairperson before the time of the meeting.
- 15.3 The notice of appointing a proxy shall be in the form set out at Appendix 3.

16. COMMON SEAL

The Committee shall provide for a common seal and for its safe-keeping. The common seal will only be used under the authority of the Committee, and each document to which the seal is attached must be signed by two Committee members.

17. CONFLICT OF INTEREST

- 17.1 A Committee member who has an interest in any contract or arrangements made or proposed to be made with the Association must declare her/his interest at the first meeting of the Committee at which the contract or other arrangement is discussed, if her/his interest then exists, or in any other case at the first meeting of the Committee after the acquisition of her/his interest.
- 17.2 If a Committee member becomes interested in a contract or arrangement after it is made or entered into, she/he must disclose that interest at the first meeting of the Committee after she/he becomes so interested.
- 17.3 No Committee member shall vote as a Committee member in respect of any contract or arrangement in which she/he is interested, and if she/he does so vote her/his vote shall not be counted.

18. FINANCIAL RESPONSIBILITIES

- 18.1 The Association receives funds from range of sources including gifts, donations and direct funding from relevant agencies.
- 18.2 The Committee, acting on the advice of the Treasurer, shall determine and keep under review the annual budget and financial policies and procedures of the Association, including reporting requirements, delegations and limitations.
- 18.3 The funds of the Association shall be banked in the name of the Association in such bank as the Committee may from time to time direct.
- 18.4 True accounts shall be kept of the sums of money received and expended by the Association and the matters in respect of which such receipt and expenditure takes place, and of the property credits and liabilities of the Association.
- 18.5 All monies shall be banked as soon as possible after receipt.

- 18.6 As soon as possible after the end of each financial year, the Treasurer shall cause a statement to be prepared for the Association containing particulars for the year just ended of the Association's:
- (a) income and expenditure; and
 - (b) assets and liabilities, and
 - (c) all mortgages, charges and securities affecting the property of the Association.
 - (d) financial year of the Association shall commence on 01 July and end on 30 June of the following year.
- 18.7 Any member may inspect all books and records of account at any reasonable time, upon application to the Treasurer.
- 18.8 Once at least in every financial year, the accounts of the Association shall be examined by the auditor.
- 18.9 The Committee will determine the process for withdrawal of moneys from the Association bank accounts including the drawing and signing of cheques. This direction will be reflected in the finance policy and procedures manual.

19. ESTABLISHMENT AND OPERATION OF GIFT FUND

- 19.1 At such time as it is enacted, the Association shall maintain a special account called the gift fund.
- 19.2 Any money gifted to the Association to carry out its purpose and activities must be deposited in the gift fund.
- 19.3 Any receipt given by the Association for a gift made to the gift fund must be issued in the name of the Association, and must include the Australian Business Number of the Association.
- 19.4 If any money in the gift fund produces income, that income must also be deposited in the gift fund.
- 19.5 Money in the gift fund can only be used for the Associations stated purpose.
- 19.6 If the gift fund is wound up, or the endorsement of the Association as a deductible gift recipient is revoked, and money in any gift fund at the time must be transferred to another fund that can receive deductible gifts.

20. NOTICES

- 20.1 A notice shall be given by the Association to a member in writing:
- (a) personally; or
 - (b) by sending it to the postal address nominated by the member; or
 - (c) by sending it to the email address nominated by the member.

20.2 Where a notice is sent by post, service of the notice is deemed to be effected by properly addressing, prepaying and posting the notice, and taken to have been given on the third business day after the date it was posted.

20.3 A notice sent by email is taken to be given on the day after it is sent.

21. REVISION OR AMENDMENT OF THIS CONSTITUTION

21.1 This Constitution may be revised or amended at a general meeting by a three-fourths majority vote of members present.

21.2 No revision or amendment of this Constitution shall be put to a general meeting unless it has been first approved by the Committee.

21.3 Any notice of a general meeting at which a revision or amendment of this Constitution is to be considered must include an explanatory memorandum.

22. WINDING UP OR DISSOLUTION OF THE ASSOCIATION

22.1 The Association shall be wound up or dissolved if, after one month's notice in writing of a general meeting has been given to all members by the Committee, stating an intention to discuss the dissolution of the Association at that meeting, a resolution to dissolve the Association is carried by a three-fourths majority vote of members present.

22.2 Subject to the provisions in subclause 23.6, if the Association is wound up and there is any property or money left after all its debts are paid, the property or money must be given to one or more organisations that:

- (a) have similar purposes to the Association;
- (b) are not-for-profit organisations;
- (c) are public benevolent institutions; and
- (d) are endorsed as deductible gift recipients.

22.3 'If the endorsement of the organisation as a deductible gift recipient is revoked, the following assets remaining after the payment of the organisation'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 purpose of the organisation
- Contributions made in relation to an eligible fundraising event held for the principal purpose of the organisation, and
- Money received by the organisation because of such gifts and contributions.'

22.4 The organisation or organisations to which any remaining property of the Association is to be given are to be determined by the members at or before the time of dissolution.

Appendix 1

**APPLICATION FOR FULL MEMBERSHIP
ADVOCACY FOR INCLUSION INCORPORATED
(incorporated under the *Associations Incorporation Act 1991* (ACT))**

I.....
(full name of applicant)

of.....

I identify as a person with disability
(address)

hereby apply to become a full member of the above named incorporated association.

I do/do not (please circle or delete as appropriate) have a conflict of interest as outlined in the Constitution.

In the event of my admission as a member, I agree to be bound by the rules and by-laws of the Association.

.....
(signature of applicant)

.....
(date)

I.....
(full name)

being a member of the association, nominate the applicant for membership of the association.

.....
(signature of member)

.....
(date)

Appendix 2

**NOMINATION FOR THE COMMITTEE
ADVOCACY FOR INCLUSION INCORPORATED
(incorporated under the *Associations Incorporation Act 1991* (ACT))**

I.....
(full name of applicant)

of.....
(address)

hereby wish to nominate for position of (please circle):

Chairperson

Deputy Chairperson

Treasurer

Secretary

Committee Member

of the above named incorporated association. In the event of my admission as a committee member, I agree to be bound by the rules and by-laws of the association.

.....
(signature of applicant)

.....
(date)

Appendix 3

**NOTICE OF APPOINTMENT OF PROXY
ADVOCACY FOR INCLUSION INCORPORATED
(incorporated under the *Associations Incorporation Act 1991* (ACT))**

I,.....
(full name)

of.....
(address)

a member of Advocacy for Inclusion Incorporated, hereby appoint

.....
(full name of proxy)

of.....
(address)

a member that incorporated association, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or general meeting as the case may be) to be held on(insert date) and at any adjournment of that meeting.

.....
(signature of member appointing proxy)

.....
(date)

Note: A proxy vote may not be given to a person who is not a member of the association. No member may hold more than three proxies at a general meeting of the association (annual general meeting or other general meeting).