

THE RULES OF THE SRI LANKA ASSOCIATION OF NSW INC

REVISED BY A SELECT COMMITTEE CONSISTING OF THE FOLLOWING:

- 1. ANANDA AMARANATH (CHAIRPERSON)**
- 2. JAYANTHA ABEYDEERA**
- 3. CHANDRA GUNASEKERA**
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- 6. ARUL NILES (SECRETARY)**

THE REVISED RULES WERE TABLED AND PASSED BY A SPECIAL RESOLUTION

AT THE ANNUAL GENERAL MEETING OF THE SRI LANKA ASSOCIATION OF

NSW INC HELD AT THE ROSLEA COMMUNITY CENTRE, CARLINGFORD, NSW

ON 24 NOVEMBER 2002.

INDEX

PART 1.	3
THE NAME	3
THE OBJECTS	3
INTERPRETATION.....	4
PART II - MEMBERS	5
MEMBERSHIP QUALIFICATIONS.....	5
NOMINATION FOR MEMBERSHIP	5
CESSATION OF MEMBERSHIP	6
MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE	6
RESIGNATION OF MEMBERSHIP	6
REGISTER OF MEMBERS	6
FEE, SUBSCRIPTIONS, ETC.....	7
MEMBERS LIABILITIES	8
DISCIPLINING MEMBERS.....	8
RIGHT OF APPEAL OF DISCIPLINED MEMBER	9
PART III – THE COMMITTEE	10
POWERS ETC., OF COMMITTEE.....	10
CONSTITUTION AND MEMBERSHIP	11
ELECTION OF MEMBERS	12
SECRETARIES	14
TREASURER	15
EDITOR.....	15
CASUAL VACANCIES	15
REMOVAL OF MEMBER.....	16
MEEETINGS AND QUORUM.....	16
DELEGATION BY COMMITTEE TO SUB-COMMITTEE.....	17
VOTING AND DECISIONS	18
PART IV – GENERAL MEETING	18
ANNUAL GENERAL MEETING – HOLDING OF	18
<u>ANNUAL GENERAL -CALLING OF AND BUSINESS AT</u>	<u>19</u>
SPECIAL GENERAL MEETING – CALLING OF	19
NOTICE.....	20
PROCEDURE.....	21
PRESIDING MEMBER.....	21
ADJOURNMENT	21
MAKING OF DECISIONS.....	22
SPECIAL RESOLUTION	22
VOTING	22
PART V – MISCELLANEOUS	23
INSURANCE.....	23
FUNDS – SOURCE	24
FUNDS MANAGEMENT	24
ALTERATIONS OF OBJECTS AND RULES.....	24
INSIGNIA.....	24
CUSTODY OF BOOKS	24
INSPECTION OF BOOKS	25
SERVICE OF NOTICES	25
BOARD OF TRUSTEES	25
SURPLUS PROPERTY	25
COMPLIANCE WITH CHARITABLE COLLECTIONS ACT, 1934	26
APPENDIX 1	27
APPENDIX 2	28

PART 1.THE NAME

1. THE NAME OF THE ASSOCIATION SHALL READ AS THE SRI LANKA ASSOCIATION OF NEW SOUTH WALES INC.

THE OBJECTS

2. To provide a common meeting ground for persons of Sri Lankan origin and to integrate with the Australian community on a multi-racial basis.
3. To promote and perpetuate the cultural heritage of Sri Lanka amongst members of the Association and the Australian community.
4. To propose measures and take action with regard to the interests and welfare of the Sri Lankan community and make representations to State and Commonwealth Governments and other organisations on relevant matters.
5. To organise the raising of funds and such other things and resources for donations to charities in Sri Lanka or Australia.
6. To contact new migrants of Sri Lankan origin arriving in New South Wales as permanent residents and assist such persons towards settling.
7. To work towards the advancement of Sri Lankans and Australians of Sri Lankan descent in New South Wales and in that regard to work alone, or in Association with any other organisation.
8. To participate as a body in matters of special interest to the Sri Lankan community in New South Wales and Australia.
9. To work towards the reform of immigration laws particularly as they affect persons of Sri Lankan origin.
10. To establish a trust fund or funds to assist persons of Sri Lankan origin in Australia or in Sri Lanka in need generally and to establish solely or in Association with any other organisation a nursing home/hostel/retirement home, together with ancillary facilities or religious centres.
11. To promote social cohesion and harmony among the Sri Lankan community within the framework of a united and democratic Sri Lanka and work towards the perception of the integrity of Sri Lanka as a nation.
12. And such other objects as the Association shall approve by special resolution at a General Meeting.

INTERPRETATION

13. In these Rules, except insofar as the context or subject matter otherwise indicates or requires:-

“Ordinary member” means a member of the Committee who is not an office bearer of the Association, as referred to in Rule 26(2).

“Pensioner” means a person over the age of sixty years who is no longer in gainful employment or a person receiving a government pension.

“Committee” means the Executive Committee of the Association consisting of Office bearers and Ordinary members of the Committee.

“Act” means the Associations Incorporation Act 1984 No. 143.

“Regulations” means the Association Incorporation Regulation 1999

“Director General” means the Director General of the Department of Fair Trading.

“Life Member” means a person who is approved as such member by the Committee upon the payment of the prescribed fee. Provided that the spouses of members who became life members before 24 November 2002 will be deemed to be life members.

“Family Member” means members of one family consisting of the father, mother and children under 18 years.

“Student Family Member” means a person and his/her spouse, at least one of whom is engaged in full time study and neither is gainfully employed.

14. In these Rules –

- (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, where the function is a duty, a reference to the performance of the duty.

The provisions of the Interpretations Act, 1987, apply to and in respect of these Rules, in the same manner as those provisions would so apply if these Rules were an instrument made under the Act.

PART II - MEMBERS

MEMBERSHIP QUALIFICATIONS

15. (a) A person is qualified to be a member of the Association if, but only if the person is a person referred to in Section 15(1)(a), (b) or (c) of the Act and has not ceased to be a member of the Association at any time after incorporation of the Association under the Act, or
- (b) The person is a natural person who -
- (i) has been nominated for membership of the Association as provided by Rule 16 below; and
 - (ii) has been approved for membership of the Association by the Committee of the Association.

NOMINATION FOR MEMBERSHIP

16. (a) A nomination of a person for membership of the Association –
- (i) shall be made by a member of the Association in writing in the form set out in Appendix 1 to these Rules; and
 - (ii) shall be lodged with the Secretary of the Association.
- (b) As soon as practicable after receiving a nomination for membership, the Secretary shall refer the nomination to the Committee which shall determine whether to approve or to reject the nomination.
- (c) Where the Committee determines to approve a nomination for membership, the Secretary shall, as soon as practicable after that nomination, notify the nominee of that approval and request the nominee to pay within the period of 28 days after receipt by the nominee of the notification the sum payable under these Rules by a member as annual subscription or other subscription.
- (d) The Secretary shall, on payment by the nominee of the amounts referred to in Clause (c), within the period referred to in that clause, enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the Association, and the name being so entered, the nominee becomes a member of the Association.
- (e) The Committee shall, in addition to ordinary membership, be able to grant affiliated membership to any organisation professing more or less the same objects as the Association. Such membership shall be granted on a reciprocal basis.

- (f) Where the application for membership has annexed thereto money as payment for subscription, the Secretary pending the consideration of the application shall hold such money. Upon approval of the application by the Committee, such money shall be applied towards subscription referred to in Sub Rule (c).

CESSATION OF MEMBERSHIP

- 17. A person ceases to be a member of the Association if the person –
 - (a) dies;
 - (b) resigns that membership;
 - (c) is expelled from the Association;
 - (d) does not pay his/her subscription within a period of six months after it becomes due and payable

MEMBERSHIP ENTITLEMENTS NOT TRANSFERABLE

- 18. 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 upon cessation of the person's membership.

RESIGNATION OF MEMBERSHIP

- 19. (1) A member of the Association is not entitled to resign that membership except in accordance with this Rule.
- (2) A member of the Association who has paid all amounts payable by the member to the Association in respect of the members membership may resign from the membership of the Association by first giving notice (being not less than one month or not less than such other period as the Committee may determine) in writing to the Secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (3) Where a member of the Association ceases to be a member pursuant to Clause (2), 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.

REGISTER OF MEMBERS

- 20. (1) The public officer of the Association shall establish and maintain a register of members of the Association specifying the name and

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 principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

FEE, SUBSCRIPTIONS, ETC.

21. (1) A member of the Association shall, upon admission to membership, pay to the Association a membership subscription of the following applicable rate –

Life Membership - one Hundred and fifty dollars (\$150.00);

Annual Family Membership - Twenty dollars (\$20.00);

Annual Single Membership – Ten Dollars (\$10.00);

Annual Student membership – Seven dollars and fifty cents (\$7.50);

Annual student Family membership – Ten dollars (\$10.00) per student family;

Annual membership fee becomes due and payable on the 1st of July of each year. A membership fee paid at any time during a financial year will be deemed to only apply until the end of the said financial year.

No new member will be entitled to vote at an Annual General Meeting or a Special General meeting unless such person has been a member for a continuous period of three months.

- (2) (a) A Member who has not paid his membership fee will not have a right to vote unless such member becomes financial within a period of six months from the date when such subscription becomes due and payable. Provided that a member who becomes financial after notice under Rule 39 has been issued is deemed to have waived his/her right to notice of such general meeting. A member who becomes financial after the ballot papers are posted to the members in terms of Rule 27 (4) (a) i-iii shall not be entitled to vote at a general meeting.

- (b) A member who fails to pay his/her fee within a period of six months after it becomes due and payable will cease to be member of the Association. Such person is entitled to re-apply for membership.

- (3) No fee shall be payable by a pensioner or, for the first year, by a permanent resident arriving in Australia. These members shall enjoy all rights and benefits of membership except the right to vote. This does not preclude such person from applying for membership under another category

MEMBERS LIABILITIES

22. The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the cost, 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 pursuant to Rule 21.

DISCIPLINING MEMBERS

23. (1) Where the Committee is of the opinion that a member of the Association –
- (a) has persistently refused or neglected to comply with a provision or provisions of these Rules; or
 - (b) has persistently and wilfully acted in a manner prejudicial to the Committee may, by resolution –
 - (c) expel the member from the Association; or
 - (d) suspend the member from membership of the Association for a specified period.
- (2) A resolution of the Committee under Clause (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 on the member of a notice under Clause (3), confirms the resolution in accordance with this Rule.
- (3) Where the Committee passes a resolution under Clause (1) hereof, the Secretary shall, as soon as practicable, cause a notice in writing to be served on the member –
- (a) setting out the resolution of the Committee and the grounds on which it is based;
 - (b) stating that the 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;
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following –
 - (i) attend and speak at the meeting;

- (ii) submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.
- (4) At a meeting of the Committee held as referred to in Clause (3) hereof, the Committee shall –
 - (a) give to the member an opportunity to make oral representations;
 - (b) give due consideration to any written representation submitted to the Committee by the member at or prior to the meeting; and
 - (c) by resolution determine whether to confirm or to revoke the resolution.
- (5) Where the Committee confirms a resolution under Clause (4) hereof, the Secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under Rule 24.
- (6) A resolution confirmed by the Committee under Clause (4) hereof does not take effect –
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right to appeal within that period; or
 - (b) where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to Rule 23 (4).

RIGHT OF APPEAL OF DISCIPLINED MEMBER

- 24. (1) A member may appeal to the Association in general meeting against a resolution of the Committee which is confirmed under Rule 23 (5), within 7 days after notice of the resolution is served on the member by lodging with the Secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under Clause (1) hereof, the Secretary shall notify the Committee which shall convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- (3) At a general meeting of the Association convened under Clause (2) hereof –
 - (a) no business other than the question of the appeal shall be transacted;

- (b) the Committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4) If at the general meeting the Association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

PART III – THE COMMITTEE

POWERS ETC., OF COMMITTEE

25. The Committee shall be called the executive committee of the Association and, subject to the Act, the Regulation and these Rules and to any resolution passed by the Association in general meeting –
- shall control and manage the affairs of the Association;
- may exercise all such functions as may be exercised by the Association other than those functions that are required by these Rules to be exercised by a general meeting of members of the Association; and
- 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;
- (d) shall publish journals, magazines, bulletins, newsletters and souvenirs in printed and electronic form. A newsletter, which shall be called the “THORATHURU”, shall be published periodically but not less than four issues in a financial year. The committee shall maintain a regularly updated Web site.
 - (e) shall approve any expenditure not exceeding a sum of three thousand dollars (\$3000.00) for any given event or occasion. Any expenditure exceeding this sum shall require the approval of the Association in general meeting.
 - (f) Notwithstanding Rule 25(e) the executive committee may not donate, gift, utilise, withdraw or otherwise spend or use as collateral, the funds held by the Association in fixed deposits without the approval, by way of a special resolution, of three quarters of the members of the Association present in a general meeting.
 - (g) Notwithstanding rule 25(f) the executive committee shall authorise the payment of State or Federal Government taxes and bank charges due on the interest or principal component of the said fixed deposits.

- (h) In the event that the members do not approve the proposed expenditure in terms of Rule 25(f) no further special resolution shall be proposed within the same financial year.
- (i) The committee shall ensure that proper records are kept and maintained of the minutes of all meetings, properties and stock of the Association and list of members and shall duly hand them over to the incoming office bearers after such annual general meeting.
- (j) Shall have the power and authority to co-opt members from amongst the membership of the Association to assist the Committee in carrying out its affairs in accordance with the objects of the Association.

CONSTITUTION AND MEMBERSHIP

26. (1) Subject to the case of the first members of the Committee to Section 21 of the Act, the Committee shall consist of –
- the office bearers of the Association;
- eight ordinary members; each of whom shall be elected at the annual general meeting of the Association pursuant to Rule 36.
- (2) The office bearers of the Association shall be –
- (a) the president;
 - (b) two vice presidents;
 - (c) the treasurer;
 - (d) two secretaries;
 - (e) editor of the newsletter.
- (3) One of the secretaries shall be appointed as the public officer.
- (4) (a) Each Committee member shall, subject to these Rules, hold office until the conclusion of the annual general meeting following the date of the member's election.
- (b) Any Committee member other than the President is eligible for re-election. Provided that a person who is the President shall hold office until the conclusion of the annual general meeting and is eligible for re-election for one additional consecutive term as President.

A person seeking to nominate for the position of President shall have served at least one full term as a member of the Committee

- (5) 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 shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.

ELECTION OF MEMBERS

27. (1) Nominations of candidates for election as office bearers of the Association or as ordinary members of the Committee –
- shall be made in writing, signed by two members of the Association entitled to vote at a general meeting and accompanied by the written consent of the candidate, entitled to vote at a general meeting. (The written consent of the candidate may be endorsed on the form of nomination); and
- shall be delivered to the Secretary of the Association not less than 14 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) At the expiration of the time for receiving nominations the Secretary shall open the nominations in the presence of two office bearers and prepare a list containing names of all persons nominated for the respective positions and all persons eligible for election.
- (3) If the number of nominations received is equal to or less than the number of vacancies to be filled such nominees shall be deemed to be elected to the respective positions. The remaining vacancies shall be deemed to be casual vacancies.
- (4) If the number of nominations received before the close of nominations is more than the vacancies to be filled at the election, the election shall be conducted in the following manner;
- (a) Within 5 (five) days after the close of nominations the Secretary shall send to each member;
- (i) a ballot paper including a statement of the number of positions to be filled at the elections;
- (ii) The names of the already nominated candidates in alphabetical order in respect of each position;
- (iii) Two (2) envelopes consisting of:

- (aa) an outer envelope marked “voting paper” and addressed to the Secretary, and
- (ab) an inner envelope incorporating on its outside a detachable leaf of paper with the provision for the voter to write the voter’s name and address and signature, which shall be in or to the effect of the following form:

Name-----

(In block letters)

Address-----

Signature-----

- (iv) A member wishing to vote shall:
 - (a) mark the voting paper by marking a cross opposite the names of the preferred candidates seeking to be elected to the respective positions;
 - (b) place the voting paper inside and seal the inner envelope;
 - (c) Legibly write his or her name, address and sign his or her name on the leaf of paper attached to the outside of the inner envelope;
 - (d) place the inner envelope with the leaf of paper attached without any other matter in the outer envelope;
 - (e) seal the envelope; and
 - (f) send the envelope to the Secretary.
- (v) All formal voting papers received no later than 48 hours prior to the general meeting shall be counted in the presence and under the supervision of the Returning Officers at the Annual General Meeting.
- (vi) After the ballot is closed the Secretary and the Returning Officers shall:
 - (a) take steps to satisfy themselves regarding the integrity of the ballot;
 - (b) eliminate any invalid or informal votes; and

- (c) count the ballot at the Annual General Meeting.
 - (vii) A voting paper shall be declared informal if it:
 - (a) does indicate a vote for more than the exact number of candidates to be elected to the respective positions;
 - (b) is contained in an inner envelope which is not completed; or
 - (c) is ambiguous or other wise not in accordance with these articles.
 - (viii) If there is a doubt regarding the operation of sub rule (vii) in relation to the voting papers, the matter shall be referred to the Returning Officers for a determination and that determination shall be final.
 - (ix) If two or more candidates have the same number of votes the Returning Officers, in presence of the other candidates, shall determine the candidate deemed to have the highest number of votes by lot,
 - (x) The voting papers shall be held by the secretary for two (2) months after the election is declared and then destroyed.
 - (xi) The non-receipt of a voting paper by any member shall not invalidate the ballot.
- (5) A nomination of a candidate for election under this rule is not valid if that candidate has been validly nominated for election to another office at the same election.

SECRETARIES

28. (1) The secretaries of the Association shall, as soon as practicable after being appointed as secretaries, lodge notice with the Association of their address.
- (2) It is the duty of the secretaries to keep minutes of –
- (a) all appointments of office bearers and members of the Committee;
 - (b) the names of members of the Committee present at a Committee meeting or a general meeting; and

- (c) all proceedings at Committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

TREASURER

29. It is the duty of the treasurer of the Association to ensure that –
- (a) all money due to the Association is collected and received and that all payments authorised by the Association are made;
 - (b) correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure connected with the activities of the Association;
 - (c) The petty cash in his/her hands shall not exceed two hundred dollars (\$200) at any given time;
 - (d) the disposal of funds shall only be done in accordance with decisions of the Executive Committee and such decisions shall be recorded in the minutes of the proceedings of such meetings;
 - (e) all payments in excess of two hundred dollars (\$200) shall be transacted by cheque and duly endorsed ‘Not Negotiable’;
 - (f) financial statements will be presented as and when required by the Executive Committee and at the end of the year the audited statement of accounts and the balance sheet will be submitted for prior circulation before it is presented for adoption at the Annual General Meeting;
 - (g) a property book is maintained in order to record all items of capital expenditure, which shall be depreciated annually and shown as assets of the Association.

EDITOR

30. (a) The Editor shall exercise the powers vested in the Committee by Sub Rule 25 (d). In the exercise of the said powers the Editor shall seek concurrence of the Committee before any written or visual material is published in a printed or electronic form.
- (b) The Editor shall with the concurrence of the Committee appoint a suitable person to create and maintain a web site for the Association. Such person shall discharge his/her duties under the direction and control of the editor.

CASUAL VACANCIES

31. For the purpose of these Rules, a casual vacancy in the office of a member of the Committee occurs if the member –
- (a) dies;
 - (b) ceases to be a member of the Association;
 - (c) becomes an insolvent under administration within the meaning of the Companies (New South Wales) Code;
 - (d) resigns office by notice in writing given to the Secretary;
 - (e) is removed from office under Rule 32;
 - (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
 - (g) is absent without the consent of the Committee from all meetings of the Committee held during the period of 6 months.
 - (h) in circumstances described in Rule 27 (3).

REMOVAL OF MEMBER

32. (1) The Association in a general meeting may by resolution remove any member of the Committee from the office of the 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) Where a member of the Committee to whom a proposed resolution referred to in Clause (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 they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolutions is considered.

MEEETINGS AND QUORUM

33. (1) The Committee shall meet at least four 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 shall be given by the Secretary to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed

upon by the members of the Committee) before the time appointed for the holding of the meeting.

- (4) Notice of a meeting given under Clause (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Committee members present at the meeting unanimously agree to be urgent business.
- (5) The quorum of the Committee shall be one-third of the members of the Committee or not less than five members of the Committee, whichever is greater.
- (6) No business shall 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 stands 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 shall be dissolved.
- (8) At a meeting of the Committee –
 - (a) the President, or in the President's absence, the Vice-President shall preside; or
 - (b) if the President and the Vice-President are absent or unwilling to act such one of the remaining members of the Committee as may be chosen by the members present at the meeting shall preside.

DELEGATION BY COMMITTEE TO SUB-COMMITTEE

34. (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 section may be made subject to such conditions or limitations as to the exercise of any function the

subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.

- (4) Notwithstanding 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.

VOTING AND DECISIONS

35. (1) Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall 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 any equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to Rule 32 (5), the Committee may act notwithstanding 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, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART IV – GENERAL MEETING

ANNUAL GENERAL MEETING – HOLDING OF

36. (1) With the exception of the first annual general meeting of the Association, the Association shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the Association, convene an annual general meeting of its members.
- (2) The Association shall hold its first annual general meeting –
 - (a) within the period of 18 months after its incorporation under the Act;

- (b) within the period of 2 months after the expiration of the first financial year of the Association.
- (3) Sub Rule (1) and (2) have effect subject to any extension or permission granted by the Director General under Section 26 (3) of the Act.

ANNUAL GENERAL MEETING – CALLING OF AND BUSINESS AT

- 37. (1) The annual general meeting of the Association shall, subject to the Act and to Rule 34, convene 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 shall be –
 - (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 upon the activities of the Association during the last preceding financial year;
 - (c) to elect office bearers of the Association and ordinary members of the Committee;
 - (d) to elect an honorary auditor;
 - (e) to receive and consider the statement which is required to be submitted to members pursuant to Section 26 (6) of the Act.
- (3) An annual general meeting shall be specified as such in the notice convening it.
- (4) Before the conclusion of the Annual General Meeting the outgoing office bearers shall handover to the succeeding office bearers all books, registers, documents, keys, and access codes and such other items maintained by the Association in the ordinary course of business.

SPECIAL GENERAL MEETING – CALLING OF

- 38. (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Association.
- (2) The Committee shall, on the requisition in writing of not less than fifteen financial members, convene a special general meeting of the Association.
- (3) A requisition of members for a special general meeting –

- (a) shall state the purpose or purposes of the meeting;
 - (b) shall be signed by the members making the requisitions;
 - (c) shall be lodged with the Secretary;
 - (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 the date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in Clause (4) shall be convened as nearly as practicable in the same manner as general meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.

NOTICE

39. (1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the Secretary shall, at least 28 days before the date fixed for the holding of the general meeting, cause to be sent by prepaid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting. In the alternative such notice may be given in a notice published in the newsletter "Thorathuru" and on the web site at least 28 days before the date fixed for the meeting.
- (2) Where the nature of the business proposed to be dealt with at the general meeting requires a special resolution of the Association, the Secretary shall, at least 28 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in Sub Rule (1) 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 shall be transacted at the meeting except, in the case of an annual general meeting, business that may be transacted pursuant to Rule 37 (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 shall include that business in the next notice

calling a general meeting given after receipt of the notice from the member.

PROCEDURE

40. (1) No item of business shall 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.
- (2) Sixty members present in person (being members entitled under these Rules to vote at a general meeting) or not less than one-third of such members, which ever is the lesser, shall constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour of the appointed time for the commencement of the general meeting a quorum is not present, the meeting if convened upon the requisition of the members shall be dissolved and in any other case shall stand adjourned to the same day and time in the fortnight succeeding or such other date, time and venue nominated by the presiding officer, but no later than four weeks from the date of such meeting.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present, being not less than 30, shall constitute a quorum.

PRESIDING MEMBER

41. (1) The President, or in the President's absence, the Vice-President, shall preside as chairperson at each general meeting of the Association.
- (2) If the President and the Vice-President are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.
- (3) Subject to these rules, the chairperson's ruling on all matters relating to the order of business and the procedure and conduct of a general meeting is final.

ADJOURNMENT

42. (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 shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a general meeting is adjourned for 28 days or more, the Secretary shall 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, or by the publication in the newsletter distributed at least two weeks before the meeting is to be held.

- (3) Except as provided in Clauses (1) and (2) hereof, 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.

MAKING OF DECISIONS

43. (1) A question arising at a general meeting other than the election of Committee members and Auditor, and the vote on a special resolution, shall be determined by a show of hands of the members present. 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 further proof of the number or proportion of the votes recorded in favour of or against the resolution.
- (2) A poll shall be taken in terms of Rule 27 to determine the following business arising at a general meeting;
- (a) the election of Office bearers and Ordinary members of the Association.
 - (b) the election of Auditor.
 - (c) A vote on a special resolution.

SPECIAL RESOLUTION

44. A resolution of the Association is a special resolution if:
- (a) it is passed by a majority which comprises not less than three quarters of such members of the Association as, being entitled under the Rules so to do, voting in accordance with Rule 27 at a general meeting of which not less than 28 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these Rules.
 - (b) Where it is made to appear to the Director General that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) the resolution is passed in the manner specified by the Director General.

VOTING

45. (1) Upon any question arising at a general meeting of the Association each member has one vote only.

- (2) Except in the election of members of the executive committee, the Honorary auditor and a vote on a special resolution, all votes shall be given personally.
 - (3) 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.
 - (4) 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 for the current financial year. No person referred in Rule 21 (2) hereof who has not paid a membership fee as provided in Rule 21 (2) shall have a vote.
 - (5) A member who is under the age of 18 years is not entitled to vote.
- 46.
- (1) After expiration of the time for receiving nominations for elections to the Executive Committee and Auditor, and if the number of nominations received exceed the number of vacancies to be filled, the committee shall appoint three suitable persons as Returning Officers to conduct the ballot.
 - (2) The Returning Officers shall be appointed with the concurrence of all persons nominating for election. If such a consensus cannot be reached within one week of the close of nominations, the Committee shall appoint suitable persons as the Returning Officers.
 - (3) The Returning Officers shall be responsible for the proper and fair conduct of the ballot and for such purpose shall have access to all records and other documentation relevant to the conduct of the ballot, in the possession of the Committee.
 - (4) After the ballot is closed the Returning Officers shall supervise the count of such votes at the Annual General Meeting and subject to these rules, determine the candidates who receive the highest number of votes in respect of each position. The candidates so determined as receiving the highest number of votes, shall be declared elected to the respective positions by the chairperson.

PART V – MISCELLANEOUS

INSURANCE

- 47.
- (1) The Association shall effect and maintain insurance pursuant to Section 44 of the Act.
 - (2) In addition to the insurance required under Clause (1) hereof, the Association may effect and maintain other insurance.

FUNDS – SOURCE

48. (1) The funds of the Association shall be derived from annual or other 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 account.
- (3) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

FUNDS MANAGEMENT

49. (1) Subject to any resolution passed by the Association in general meeting, the funds of the Association shall 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 shall be signed by the Treasurer and either of two members of the Committee being members authorised to do so by the Committee.
- (3) If the Treasurer is unavailable, incapable or unwilling to exercise the powers conferred by Sub Rule 2, the Executive Committee by an emergency meeting of the said committee may appoint another committee member to exercise the powers of the Treasurer.

ALTERATIONS OF OBJECTS AND RULES

50. These Rules of Association may be altered, rescinded or added to only by a special resolution of the Association.

INSIGNIA

51. The insignia of the Association shall be in the shape of a shield as indicated in Appendix 2, shall have a lion with a sword as in the national flag of Sri Lanka and a Waratah flower below with the words 'THE SRI LANKA ASSOCIATION OF NEW SOUTH WALES INC' on the top and the year 1973 on the bottom.

CUSTODY OF BOOKS

52. Except as otherwise provided by these Rules, 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.

INSPECTION OF BOOKS

53. The records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hour.

SERVICE OF NOTICES

54. (1) For the purpose of these Rules, a notice except as provided in Rule 38 (1) hereof, may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- (2) Where a document is sent to a person by properly addressing, pre-paying and posting to a person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these Rules to have been delivered in the ordinary course of the post.

BOARD OF TRUSTEES

55. (1) At the annual general meeting, the Association shall appoint an auditor.
- (2) In addition to the Executive Committee elected at the annual general meeting, the Association shall appoint a Board of Trustees whose functions shall be –
- (a) to sign all documentation necessary for purchase, lease, sale, exchange, hire or otherwise to acquire or dispose of any right, title and interest in any property real or personal for and on behalf of the Association as determined by the Association;
- (b) in the event of the winding up of the Association or the cancellation of incorporation of the Association, to dispose of the assets in terms of the Act.
- (3) The Board of Trustees shall consist of :
- (a) the President of the Association elected for the year; and
- (b) the two immediate past Presidents (ex-officio).
- (4) All documentation under Clause 2 (a) hereof shall be signed by all members of the Board of Trustees.

SURPLUS PROPERTY

56. (1) In a winding up of the Association, the surplus property of the Association is to be distributed in accordance with a special resolution of the Association.

- (2) Any distribution of surplus property:
 - (a) must be approved by the Director General; and
 - (b) is not to be made to a member or former member of the Association, or to any person to be held in trust for any member or former member of the Association, unless the member or former member is an Association (whether incorporated or unincorporated) that, at the time of the distribution, has rules preventing the distribution of property to its members; and
 - (c) is subject to any trust affecting that property or any part of it.
- (3) Surplus property or any part of it that consist of property supplied by a government department or public authority, including any unexpected portion of a grant, must be returned to the department or authority that supplied it or to a body nominated by the department or authority.

COMPLIANCE WITH CHARITABLE COLLECTIONS ACT, 1934

57. In the event the Director General cancels the incorporation of the Association the surplus property of the Association shall be distributed in terms of the Act.

APPENDIX 1

Rule 16 (a)(1)
Application for membership
SRI LANKA ASSOCIATION OF NEW SOUTH WALES INC.

I-----
(Name of applicant)

Of-----
(Address)

Tel.----- E mail-----

-----hereby apply to become

a-----
(Category of membership)

of the above named association. In the event of my admission as a member, I agree to be bound by the Rules of the Association for the time being in force.

I -----member of the Association
Nominate the applicant, who is personally known to me, for membership of the Association.

Signature of the proposer
Date

The following information to be provided by those applying for Life, Family, Student Family, New Migrant and Pensioner membership.

- 1.Name of Spouse-----
- 2.Names of Children ----- DOB-----
----- DOB-----

I have enclosed a cheque in the sum of \$-----being membership fee.
(Please draw the cheque in favour of the Sri Lanka Association of NSW Inc.
GPO BOX 3120 Sydney 2001)

Membership fee –Single \$10.00: Family \$20.00: Student \$7.50: Student Family \$10.00: Life \$150.00

APPENDIX 2

**INSIGNIA OF THE SRI LANKA ASSOCIATION OF NSW, INC.
(RULE 51)**

