



YOUTH COALITION OF THE ACT

RULES (OR CONSTITUTION)

23 NOVEMBER 2006

Youth Coalition of the ACT Rules (or Constitution)

INDEX

	Page No
1. Name.....	4
2. Interpretation.....	4
3. Vision	4
4. Objects.....	4
5. Eligibility Categories for Membership	5
6. Categories for Membership	5
7. Admission to Membership	7
8. The Board of Management.....	8
9. Constitution and Membership of the Board of Management	8
10. Office Holders.....	9
11. Election of Board.....	10
12 Vacation of Office.....	11
13. Meetings of the Board.....	12
14. Executive Sub-Committee.....	13
15. Annual General Meeting.....	14
16. Special General Meetings	14
17. Notices of General Meetings.....	15
18. President to Preside at Meetings	15
19. Business and Quorum at General Meetings	15
20. Adjournment of General Meetings	16
21. Making Decisions.....	16
22. Voting.....	16
23. Taking of Poll.....	16
24. Disciplining of Members.....	17
25. Right of Appeal of Disciplined Member	18
26. Termination of Membership	19
27. Director and Staff.....	19
28. Sub-Committees of The Board	19
29. Interest in Contracts	20
30. Limited Liability.....	20
31. Income and Property	20
32. Accounts.....	21
33. Banking and Finance	21
34. Auditor	22
35. Audit of Accounts.....	22
36. Fees	23
37. Financial Year	23
38. Services of Notices.....	23
39. Right of Affiliation.....	23

40. Common Seal.....	24
41. Amendments to the Constitution	24
42. Dissolution	24
43. Policy Forum.....	24

Rules (or Constitution) of **The Youth Coalition of the ACT Incorporated**

1. Name

The Name of the Association shall be the Youth Coalition of the Australian Capital Territory Inc. (YCACT).

2. Interpretation

- 2.1. Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the of the Interpretation Act 1967 as that Act is in force on the date on which these rules are adopted by the Coalition.
- 2.2. The Act means the Associations Incorporation Act 1991.
- 2.3. Young people means people aged from 12 -25 years inclusively.
- 2.4. In these rules "Board" means the Board of Management of the Coalition.
- 2.5. The Youth Coalition of the ACT is referred to in these rules as the "Coalition".
- 2.6. "Organisation" refers to a community based not-for-profit organisation, whether incorporated or not, and refers to the parent legal entity and not to any internal division or agency within the parent organisation.
- 2.7. A reference in these rules to employee includes both paid and unpaid employees.
- 2.8. "Special Resolution" has the meaning given by section 70 of the Act.
- 2.9. "ACT" means Australian Capital Territory.

3. Vision

To actively promote the human rights, well being and aspirations of young people in the ACT community, with particular respect to their economic, political, cultural, spiritual, educational, and social development.

4. Objects

- 4.1. The objects of the Coalition are to:
 - (a) promote and encourage the participation of young people in the development of policy, programs and service development.

- (b) to raise awareness of access and equity principles and practice for young people, including direct service delivery, employment, education and participation in decision making within the community.
- (c) develop and maintain coordinated networks and linkages between government, non-government organisations, private sector and young people in order to establish a positive strategic vision for the ACT youth sector.
- (d) promote unity and collaboration within the non-government youth sector of the ACT.
- (e) facilitate and coordinate information dissemination between service providers, young people, government and the wider community.
- (f) to engage in advocacy and facilitate policy debate.
- (g) undertake and promote sector development, encourage and demonstrate best practice approaches which assist services and the ACT Government in improving client outcomes.
- (h) when appropriate auspice and support the establishment of new services which fill identified gaps in service provision to young people.
- (i) undertake research
- (j) convene and actively participate in forums and/or bodies ensuring that the issues relevant to youth organisations, employees and young people in the ACT are raised.
- (k) encourage, support, promote and facilitate effective professional development.
- (l) such other activities that may be incidental to achieving the objectives of the Coalition.

5. Eligibility Categories for Membership

- 5.1. Any individual or organisation committed to the Objects of the Coalition as set out in these rules is eligible for membership within a relevant category of membership, with the exception of paid employees of the Coalition.

6. Categories for Membership

- 6.1. There shall be three categories of membership, these are as follows:

6.2. *Organisational Membership*

Organisational membership is open to all community based not for profit organisations which work with, or on behalf of, young people. Organisational membership entitles the member to:

- (a) the right to two (2) delegates each of whom has full voting rights at any general meeting of the Coalition, unless rule 7.7 applies in which case the organisation is entitled to four (4) delegates with full voting rights;
- (b) eligibility to nominate a person for election to any office or position in the Coalition (on election or appointment such a person holds the office or position in their own right and not as a delegate of the organization); and
- (c) information sent out by the Coalition.

6.3. Individual Membership

Individual membership is open to individuals who have an interest in youth affairs issues and support the Objects of the Coalition. Individual members are entitled to:

- (a) one (1) vote at any general meeting of the Coalition;
- (b) eligibility to nominate to any office or position on the Board, provided that the number of individual members elected to the Board, shall not exceed 1/3 of the membership of the Board at any one time; and
- (c) information sent out by the Coalition.

An individual member under 18 years of age shall not be eligible to nominate for election to the Board including any office on the Board.

6.3.1. The number of individuals working for the same organisation able to hold individual membership must not exceed 3 in any financial year. Other individuals within an organisation seeking to hold membership beyond this number are eligible for associate membership.

6.3.2. The process for determining which employees within an organisation are entitled to individual memberships is as set out in rule 7.9.

6.4. Associate Membership

Associate membership is open to all government agencies, interstate organisations, ethical for-profit organisations, organisations who work with young people and other individuals, who do not hold organisational or individual membership. Associate members are entitled to:

- (a) be present or be represented at all general meetings of the Coalition;
- (b) full speaking rights at general meetings but no voting rights; and
- (c) information sent out by the Coalition.

- 6.5.** A right, privilege or obligation of a person or organisation by virtue of his, her or its membership of the Association:
- (a) is not capable of being transferred or transmitted to another person or organisation; and,
 - (b) terminates upon the cessation of membership, whether by death, resignation, expulsion or otherwise.

7. Admission to Membership

An application for Organisational, Associate, or Individual membership of the Coalition shall:

- 7.1.** Be made in writing on a form provided by the Coalition.
- 7.2.** Be accompanied by the written consent of the person or organisation nominated (which may be endorsed on the application form).
- 7.3.** Be lodged with the Director of the Coalition (see rule 27).
- 7.4.** As soon as practicable after the receipt of an application, the Director shall refer the application to the Board.
- 7.5.** The Board will consider each application for membership and will approve or reject the application. The Board is not required to provide any reasons for its decision and the decision of the Board is final, save only for the right of an individual or organisation aggrieved by the Board's decision, to request the Board to reconsider its decision. No member will have the right to put any motion to a general meeting of the Coalition, where the effect of that motion would be to review the Board's decision to reject an application for membership, in any respect.
- 7.6.** Upon an application being approved by a majority vote at a meeting of the Board, the Director shall move, with as little delay as possible, to notify the applicant in writing that their application for membership was approved and, upon receipt of the sum payable by or on behalf of the applicant as the first year's membership, the applicant's name and address will then be entered in a register of members to be kept by the Director, where upon the applicant becomes a member of the Coalition.
- 7.7.** If an organisation operates more than one (1) youth related service which, if conducted by a separate organisation, would qualify for organisational membership, the organisation may apply to the Board for one (1) additional membership, which will carry the right to two (2) further delegates at any general meeting of the Coalition.
- 7.8.** If the delegate of a member organisation or an individual member is unable to attend a general meeting of the Coalition, the member may appoint a proxy to act and vote on their behalf at the general meeting, provided that the Secretary of the Coalition is notified of the proxy appointment in writing before the commencement of the general meeting.

- 7.8.1.** In addition to their own membership rights, no member may exercise more than one proxy at any general meeting,.
- 7.9.** For the purposes of rule 6.3.1, where any dispute arises as to which of more than three (3) individuals who work for the same organisation, are entitled to individual membership, the following rules apply.
- 7.9.1.** If at any time three (3) employees within an organisation are individual members, they will be entitled to retain their individual membership until it terminates by any of the processes provided for in these rules.
- 7.9.2.** When a vacancy occurs in one of the three (3) individual memberships of the one organisation, the employee first making application to the Director, following the occurrence of the vacancy, will be entitled to the individual membership subject to rule 7.5. An application for individual membership lodged prior to the vacancy occurring is of no effect and will be disregarded.

8. The Board of Management

- 8.1.** There shall exist a Board of Management of the Coalition.
- 8.2.** The Board, subject to the Act, these rules and to any resolution passed by the Coalition in a general meeting:
- (a) shall control and manage the affairs of the Coalition;
 - (b) may exercise all such functions as may be exercised by the Coalition other than those functions that are required by these rules to be exercised by the Coalition in a general meeting; and
 - (c) has power subject to the provisions of the Associations Incorporation Act 1991 and these rules, to perform all such acts and things that appear to the Board to be essential for the proper management of the business and affairs of the Coalition.

9. Constitution and Membership of the Board of Management

- 9.1.** The Board must consist of:
- (a) The office holders of the Coalition; and
 - (b) eight (8) other ordinary members who shall be elected at the Annual Meeting.
 - (c) At least two (2) of the Board positions must be held by a young person, and no more than three (3) Board positions may be held by individual members.

- (d) Such other members as may be co-opted by the Board from time to time provided always that the members so co-opted shall not at any time exceed three; and
- (e) the Director has speaking rights but is not entitled to exercise a vote on the Board, whether in the capacity of Director or Secretary.

- 9.2. Each ordinary Board member may, subject to these rules, hold office until the next Annual General Meeting after the date of election, but is eligible for re election, subject to rule 10.6.
- 9.3. In the event of a casual vacancy occurring in the office of ordinary Board member, subject to rule 9.1(c) the Board can appoint a member of the Coalition to fill the vacancy, and the member so appointed will hold office, subject to these rules, until the conclusion of the next Annual General Meeting following the date of appointment.

10. Office Holders

- 10.1. The powers and duties of the office bearers of the Coalition are:

10.2. *President*

The person elected to the position of President of the Coalition will chair all meetings of the Coalition. The President will be responsible for the maintenance of order at such meetings. The President, in conjunction with the Secretary, will determine the order of business. The President will be the public spokesperson for the Coalition but may assign this responsibility to any member of the Board as he/she sees fit. In the case of an equality of voting on a question arising at a meeting, the President presiding at that meeting is entitled to exercise a second or casting vote. The President may move and second motions.

10.3. *Vice-President*

The person elected to the position of Vice-President of the Coalition will have the powers and responsibility as noted for the President of the Coalition when, and if, the President is not present at a meeting.

10.4. *Treasurer*

The Treasurer is the person responsible for ensuring that the financial affairs of the Coalition are properly administered. The duties of the Treasurer will include ensuring all monies due to the Coalition are collected, and all payments made by the Coalition are properly authorised. The Treasurer will ensure that correct accounts are kept, showing the financial affairs of the Coalition with full details of all receipts and expenditure connected with the activities of the Coalition.

10.5. *Secretary*

The person appointed to the position of Director of the Coalition will also be appointed to the position of the Secretary of the Coalition, unless otherwise determined by an Annual General Meeting. The Secretary will be responsible for maintaining the Register of Members of the Coalition and all other such matters as determined by these rules. The Secretary will be responsible for the safe custody of all books, documents, securities and financial records of the Coalition. The Secretary will arrange all meetings of the Board and notify the members of

all such meetings. The Secretary will ensure that minutes are taken at each meeting and are distributed to the members of the Board.

10.6. Officers will be eligible for re-election, however, the same person will not be eligible for appointment to the same office for more than three consecutive years. No persons are entitled to serve for more than four consecutive years on the Board with the exception that the immediate past-President may be permitted to serve an additional year.

10.6.1. A person who has served on the Board for four consecutive years can serve on the Board again after the expiration of one full year as a non-member of the General Committee

10.7. If a vacancy occurs in the office of President the Board will within 28 days of the vacancy, convene a Special General Meeting to be held for the purpose of filling the vacancy for the period remaining for which the former President was elected.

10.7.1. Nominations will close 24 hours before the Special General Meeting. The Board will determine the time and place for the close of nominations, and appoint a Returning Officer to conduct the election. Nominations for President will be called for in conjunction with the notice of the meeting. If no nomination is received by the time set for the close of nominations, nominations may be accepted at the meeting.

10.7.2 If the General Meeting is unable to elect a new President due to lack of a quorum, and;

(i) there is only one nomination, the person nominated will be declared elected; or

(ii) there are two or more nominations, the Board will within one week of the date set for the holding of the Special General Meeting, elect a new President from among those nominated;

10.7.3 If no nomination is received by the time set for the close of nominations, or at the Special General Meeting, the Board is entitled to fill the vacancy with a Coalition member/s.

10.8. In the event of another officer ceasing to hold office for any reason, the Board shall, within 28 days, fill the vacancy from among the Coalition members for the remainder of the term for which the previous officer was elected.

11. Election of Board

11.1. Nominations of candidates for election as officers of the Board of the Coalition or as ordinary Board members:

(a) must be made in writing indicating the position nominated for, signed by 2 members of the Coalition and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination);

- (b) in the case of candidates purporting to be nominated by an organisational member, the application shall include the written authorisation of the organisational member; and
 - (c) must be delivered to the Secretary or person nominated by the Board at least 7 days before the date fixed for the Annual General Meeting.
- 11.2.** If insufficient nominations are received to fill all vacancies on the Board, subject to rule 9.1(c), the candidates nominated shall be deemed elected and further nominations will be called for at the Annual General Meeting only for the positions remaining unfilled.
- 11.3.** If insufficient further nominations are received, any vacant positions remaining on the Board will be deemed to be vacancies.
- 11.4.** If the number of nominations received is equal to the number of vacancies to be filled, subject to rule 9.1 (c), the persons nominated will be taken to be elected.
- 11.5.** If the number of nominations received exceeds the number of vacancies to be filled, subject to rule 9.1 (c), a ballot will be held.
- 11.6.** The ballot for the election of Board members will be conducted at the Annual General Meeting in a manner as the President may direct.
- 11.7. Only Individual members**, whose annual membership fees are not in arrears, may nominate for any position on the Board.
- 11.8** No Organisational member may nominate any person for election to any position on the Board if that organisation's annual membership fees are in arrears.

12 Vacation of Office

- 12.1** For the purpose of these rules, the position of a Board member (including office holders) becomes vacant if a Board member
- (a) dies.
 - (b) ceases to be a member of the Coalition.
 - (c) resigns the office.
 - (d) becomes insolvent under administration with the meaning of the corporations law.
 - (e) is disqualified from office under subsection 63(1) of the Act.
 - (f) is absent without the consent of the Board from three (3) consecutive meetings of the Board.

- (g) fails to pay all arrears of membership due by her/him within 14 days after he/she has received a notice in writing stating that he/she has ceased to be a financial member of the Coalition.
- (h) is suspended or expelled for conduct detrimental to the interests of the Coalition.
- (i) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his or her creditors.
- (j) becomes unable to discharge the functions of the office or position with the degree of intellectual competency required by law.

13. Meetings of the Board

- 13.1.** The Board will meet at least ten times a year at a place and time as determined by the Board.
- 13.2.** Special meetings of the Board may be convened by the President or any four of its members.
- 13.3.** Notice will be given to members of the Board of any special meeting, specifying the general nature of the business to be transacted, and no other business will be transacted at that a meeting.
- 13.4.** Any five members of the Board constitute a quorum for the transaction of the business of a Board meeting.
- 13.5.** No proceedings of the Board will be invalid or illegal as a consequence of a vacancy in the membership of the Board.
- 13.6.** No business will be transacted unless a quorum is present. If within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place at the same hour of the same day in the following week unless the meeting was a special meeting, in which case it lapses.
- 13.7.** Meetings of the Board will be presided over by:
 - (a) the President, if present or the Vice-President, or
 - (b) one of the remaining members of the Board, as chosen by the members present if the President and the Vice-President are absent
- 13.8.** Questions arising at meetings of the Board, or of any sub-committee appointed by the Board, will be determined on a show of hands, or, if demanded by a member, by a poll taken in such a manner determined by the person presiding at the meeting.
- 13.9.** Each member present at a meeting of the Board, or of any sub-committee appointed by the Board (including the person presiding at the meeting), is

entitled to one vote and in the event of an equality of votes on any question, the person presiding then exercises a second or casting vote.

13.10. Advice of each Board meeting will be given to each member of the Board by the Secretary at a reasonable time before the meeting.

13.11. The Board will record minutes of each meeting of the Board.

13.11.1 Amongst other matters it will be sufficient for the minutes to record only the resolution posed and whether it was passed or not. It is not necessary for the minutes to record discussion, or the identity of movers or seconders of motions.

14. Executive Sub-Committee.

14.1. There will be an Executive Sub-Committee.

14.2. The Executive Sub-Committee will consist of the:

- (a) President
- (b) Vice-President
- (c) Secretary (Director who is non-voting)
- (d) Treasurer and;
- (e) 2 x members of the General Board

14.2.1. The Board will ensure that one member of the Executive Sub-Committee is nominated by the staff to be the Staff Liaison Officer for the purpose of representing staff matters at all Board Meetings and Executive Sub-Committee meetings.

14.3. The powers of the Executive Sub-Committee will include:

- (a) Urgent matters requiring deliberation and expedient decision making, that could not reasonably be delayed pending the next scheduled Management Committee Board meeting;
- (b) any other matters delegated by the Board from time to time;
- (c) any, or all of the powers of the Board that the Board sees fit to delegate to it.

14.4. In the performance of its functions, the Executive Sub-Committee will be subject to the direction of the Board.

14.5. Three members of the Executive Committee, not including the Secretary, will constitute a quorum.

14.6. The President, if present, or the Vice-President will preside at all meetings of the Executive Committee, and if neither the President nor the Vice-President are

present and willing to act, then a member of the Executive Committee elected by the Executive Committee for that meeting, shall preside.

- 14.7.** Decisions made by the Executive Sub-Committee are subject to review and amendment by the Board, unless the decision has already been executed causing rights to arise in third parties in a manner that cannot be reasonably reversed.

15. Annual General Meeting

- 15.1.** The Coalition will, in each year, hold an Annual General Meeting.
- 15.2.** The Annual General Meeting will be held on a day (being not later than five months after close of the financial year of the Coalition) as the Board may determine.
- 15.3.** The Annual General Meeting will be in addition to any other Special General Meetings that may be held in the same financial year.
- 15.4.** The Secretary convening the Annual General Meeting will issue a notice specifying it as such.
- 15.5.** The ordinary business of the Annual General Meeting will 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 Board, Auditor and members of staff, the reports upon the transactions of the Coalition during the last preceding financial year as required by section 73 of the Act;
 - (c) to elect the Office holders of the Coalition and other Board members; and
 - (d) to appoint the Auditor and the Public Officer.
- 15.6.** The Annual General Meeting may transact special business of which notice is given in accordance with these rules.

16. Special General Meetings

- 16.1.** All General Meetings other than the Annual General Meeting will be called Special General Meetings.
- 16.2.** The Board can, whenever it thinks fit, convene a Special General meeting of the Coalition.
- 16.3.** A Special General Meeting of the Association may be summoned by the Secretary, and shall be summoned by the Secretary on written request of not less than one-third of the Board or not less than ten members of the Coalition.

- 16.4. A requisition for a Special General Meeting must state the purpose of the meeting and must be signed by the requisitionists and be formally received by the Secretary. It may consist of several documents in the same form, each signed by one or more of the requisitionists.
- 16.5. If the Board fails to convene a Special General Meeting within one (1) month after the date on which a requisition was received by the Secretary or officer of the Coalition the requisitionists, or any one of them , may convene the meeting, but any meeting convened must not be held after two (2) months from the date of the deposit of the requisition.
- 16.6. A Special General meeting convened by requisitionists in pursuance of these rules must be convened in the same manner as that in which meetings are convened by the Board.

17. Notices of General Meetings

- 17.1. The Director of the Coalition will cause notices specifying the place, day and time for the holding of General Meetings, and the nature of the business to be transacted at those meetings. The notices must be dispatched in accordance with rule 38 to all members of the Coalition eligible to attend at least twenty one (21) days before the date fixed for holding an Annual General Meeting or a Special General Meeting of the Coalition.
- 17.2. In the case of any motion or resolution required by the Act or these rules to be passed by other than a simple majority, the notice to members must specify the wording of the resolution or motion to be put to the meeting.

18. President to Preside at Meetings

- 18.1. The President if present, or Vice-President shall preside at every Annual General Meeting and Special General Meeting of the Coalition.
- 18.2. If the President and Vice-President are absent from an Annual General Meeting, or a Special General Meeting, or present but not willing to preside, the members present will elect one of those present to preside at the meeting.

19. Business and Quorum at General Meetings

- 19.1. No item of business will be transacted at a Special General Meeting or Annual General Meeting unless a quorum of members, entitled under these rules to vote, is present during the time when the meeting is considering that item.
- 19.2. The quorum for all Annual General Meetings and Special General Meetings of the Coalition will be 30 or one-third of the membership entitled to vote under these rules, whichever is the lesser.
- 19.3. If within one half hour after the appointed time for the commencement of an Annual General Meeting or a Special General Meeting a quorum is not present, the meeting, if convened upon the requisition of members, lapses and in any other case, stands adjourned to the same day in the next week, at the same

time, and, unless another place is specified by the person presiding at the time of the adjournment, or by written notice to members given before the day to which the Meeting is adjourned, at the same place. If at the adjourned Meeting a quorum is not present within one half hour after the time appointed for the commencement of the meeting, the meeting lapses.

20. Adjournment of General Meetings

- 20.1. The person presiding at a Annual General Meeting or Special General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business can be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 20.2. If a general meeting is adjourned for 14 days or more, the secretary must give written or verbal 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.
- 20.3. Except as provided in the foregoing provisions of this rule, it is not necessary to give any notice of an adjourned meeting.

21. Making Decisions

- 21.1. A question arising at an Annual General Meeting or a Special General Meeting of the Coalition will be determined on a show of hands, unless before or on the declaration of the result of the show of hands, a poll is demanded.
- 21.2. A declaration by the person presiding that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, without proof of the number or proportion of the votes recorded in favour of, or against that resolution, will be prima facie evidence that the question was so decided.

22. Voting

- 22.1. Upon any question arising at an Annual General Meeting or Special General Meeting of the Coalition, a member has voting rights in accordance with Rule 6.
- 22.2. No Individual or Organisational member can vote unless they have been members of the coalition for a minimum of three (3) months.
- 22.3. No person purporting to be a delegate of an organisational member can speak or vote at a general meeting unless the organisational member has previously advised the Director in writing of the identity of its delegate(s).

23. Taking of Poll

- 23.1. At an Annual General Meeting or a Special General Meeting, if a poll on a question is demanded, it must be taken at that meeting in such manner as the

person presiding may direct, and the result of the poll will be deemed to be the resolution of the meeting on that question.

- 23.2.** A poll that is demanded on the election of a President or on a question of adjournment, will be taken forthwith; and a poll that is demanded on any other question will be taken at such time before the close of the meeting as the person presiding may direct.

24. Disciplining of Members

- 24.1.** Where the Board of Management is of the opinion that a member:

- (a) has persistently refused or neglected to comply with a provision of these rules or;
- (b) has persistently and wilfully acted in a manner prejudicial to the interests of the Coalition;

the Board may, by resolution, expel the member from the Coalition or suspend the member from such rights and privileges of membership of the Coalition as the Board may determine for a specific period.

- 24.2.** A resolution passed by the Board under subrule (1) is of no effect unless the Board confirms the resolution in accordance with this rule at a meeting held not earlier than 14 days and not later than 42 days after service on the member of a notice under subrule (3).

- 24.3.** Where the Board passes a resolution under subrule (1), the Secretary must, as soon as practicable, cause a notice in writing to be served on the member. The notice must -

- (a) set out the resolution of the Board and the grounds on which it is based;
- (b) state that the member can address the Board at a meeting to be held not earlier than 14 and not later than 42 days after service of the notice;
- (c) state the date, place and time of that meeting; and
- (d) inform the member that the member may do either or both of the following :
 - (i) attend and speak at that meeting;
 - (ii) submit to the Board at or prior to the date of that meeting, written representations relating to the resolution.

- 24.4.** Subject to section 50 of the Act, at the meeting of the Board for the purposes of subrule (2), the Board will -

- (a) give to the member mentioned in subrule (1) an opportunity to make oral representations and/or;

- (b) give due consideration to any written representations submitted to the Board by that member at or prior to the meeting; and
- (c) by resolution determine whether to confirm, vary, or to revoke the resolution of the Board made under subrule (1).

24.5. Where the Board confirms or varies a resolution under subrule (4) the Secretary will endeavour to inform the member of that confirmation or variation and of the member's right of appeal under rule 25, within 7 days after that confirmation by notice in writing.

24.6. A resolution confirmed by the Board under subrule (4) does not take effect -

- (a) until the expiration of the period within which the member is entitled to appeal against the resolution or;
- (b) where within that period the member exercises the right of appeal, until the appeal is determined..

25. Right of Appeal of Disciplined Member

25.1. A member may appeal to an Annual General Meeting or a Special General Meeting against a resolution of the Board, which is confirmed under subrule 24.4 within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.

25.2. Upon receipt of a notice under subrule (1) the Secretary must notify the Board which will convene a Special General Meeting of the Coalition to be held within 21 days after the date on which the Secretary received the notice or as soon as possible after that date.

25.3. Subject to Section 50 of the Act a Special General Meeting of the Coalition convened under subrule (2) will:

- (a) transact no business other than the question of the appeal;
- (b) give both the Board and the member opportunity to make representations in relation to the appeal, verbally or in writing or both; and
- (c) have the members present vote by secret ballot on the question of whether the resolution made under rule 24.4 should be confirmed or revoked.
- (d) the Board may appoint a member of the Board, or another suitable person, other than the President, Vice-President or Secretary to put the Board's case to the meeting.
- (e) the member may be represented at the general meeting by another suitable person.
- (f) neither the Board nor the member may be represented by a person possessing legal qualifications, except with the permission of the meeting, passed by a majority resolution.

- 25.4** If the Special General Meeting passes a special resolution in favour of the confirmation of the resolution made under subrule 24.4, that resolution is confirmed.

26. Termination of Membership

- 26.1.** Any member may resign from the membership by sending a resignation in writing signed by the member to the Director which must be brought to the attention of the Board. Upon acceptance of the resignation by the Board the member ceases to be a member of the Coalition.
- 26.2.** Subject to rule 28(3), any member whose membership fees remains unpaid (in whole or part), for more than six (6) months will be deemed to be an unfinancial member. Unfinancial members and their delegates cannot be members of any sub-committees or be entitled to vote at any general meeting.
- 26.2.1.** The provisions of rule 12.1(g) apply to an unfinancial member (including the nominee of an unfinancial organisational member) who is a member of the Board.
- 26.3.** Upon the termination of membership under this rule the Director will remove the name of the member from the register of members, whereupon that member ceases to be a member of the Coalition.
- 26.4.** A person or organisation whose membership is terminated or who otherwise ceases to be a member will forfeit all such rights to, or claims upon the Coalition, it's property and funds, as they otherwise would have by reason of membership, but shall never the less remain liable to pay all monies which at the time of cessation were due from them.

27. Director and Staff

- 27.1.** The Board will appoint or arrange to be appointed such staff as are needed by the Coalition from time to time and designate or arrange to be designated the terms of such appointments. One such appointment will be the Director of the Coalition who will manage the day to day operations of the Coalition and ensure the servicing of the Coalition.

28. Sub-Committees of The Board

- 28.1.** The Board may at any time delegate any of its powers to one or more sub-committees, consisting of such member/s of the Coalition as the Board thinks fit, or to any individual member.
- 28.2.** Sub-committees and authorised individuals may exercise any discretionary powers the Board has by resolution delegated them. All members of the sub-committees will have one (1) vote.
- 28.3.** The Board may appoint or co-opt any person, whether a member or not, including unfinancial members, to any sub-committee.

- 28.4** The Board may set up such sub-committees without a delegation of power, as it sees fit and may appoint or co-opt any person, be they a member, unfinancial member or a non-member, to the sub-committee.
- 28.5.** Subject to the rights of third parties which may have accrued from the delegate's decision, the Board may at any time rescind a delegation or revoke or vary a decision made under delegation.

29. Interest in Contracts

- 29.1.** A member of the Board who has interests in any contract or arrangement made or proposed to be made with the Coalition, or is a member of a group or organisation which is negotiating with the Coalition, must disclose that interest at the first meeting of the Board at which the contract or arrangement is first taken into consideration if the interest then exists; or, in any other case, at the first meeting of the Board after the acquisition of the interest.
- 29.2.** If a member of the Board becomes interested in a contract or arrangement after it is made or entered into the member must disclose that interest at the first meeting of the Board after becoming so interested.
- 29.3.** No member of the Board can vote as a member of the Board in respect of any contract or arrangement in which that member is interested and if the member does so vote that vote will not be counted.

30. Limited Liability

- 30.1.** The liability of a member to contribute towards the payment of the debts and liabilities of the Coalition or the costs, charges and expenses of the winding up of the Coalition is limited to the amount (if any) unpaid by the member in relation to membership of the Coalition as required by rule 36.
- 30.2.** In the event the Coalition is the subject of a judgement of a court and does not have the resources to meet the judgement debt, and in the further event that the judgement creditor recovers judgement against any officer or member of the Coalition personally, all Board members must contribute equally to the judgement debt. This rule is intended to confer a right in law, for any Board member paying such a judgement debt to recover the contributions payable by other Board members under this rule.

31. Income and Property

- 31.1.** The income and property of the Coalition, however derived, will be applied solely towards the promotion of the objects and purposes of the Coalition and no portion thereof will be paid or transferred, directly or indirectly, by dividend, bonus or otherwise, to any member of the Coalition.
- 31.2.** The funds of the Coalition will be derived from annual subscriptions of members, grants from government and other bodies, donations, and such other sources as the Board determines.

- 31.3.** The Coalition may pay from its funds, staff entitlements and any other costs incurred in the management and/or operation of the Coalition, including reasonable fees to members (including Board members) who render services to the Coalition, other than in their capacity as Board members.

32. Accounts

- 32.1.** True accounts will be kept:
- (a) of all sums of money received and expended by the Coalition and the matter in respect of which the receipt or expenditure takes place; and
 - (b) of the property, credits and liabilities of the Coalition.
- 32.2.** The Board must be presented with a financial report by the Treasurer at every meeting.
- 32.3.** Accounts will be open to inspection by the members of Coalition, by prior arrangement with the Treasurer.
- 32.4.** The Treasurer of the Coalition will faithfully keep all general records, accounting books and records of receipts and expenditure connected with the operations and business of the Coalition in such form and manner as the Board decides.
- 32.5.** The accounts, books and records referred to in sub-rules (1) and (3) of this rule will be kept at the office of the Coalition or at such other place as the Board may decide.
- 32.6.** The Treasurer will present a full, true and precise financial statement to the Annual General Meeting of the Coalition.

33. Banking and Finance

- 33.1.** The Director of the Coalition will, on behalf of the Coalition, receive all moneys paid to the Coalition and issue official receipts.
- 33.2.** The Board will cause to be opened with such financial institutions, as the Board selects; a banking account in the name of the Coalition into which all moneys received shall be paid by the Director as soon as possible after receipt thereof.
- 33.3.** Cheques shall be drawn on the organisation's bank account/s only:
- (a) for purposes approved by the Board;
 - (b) provided that such cheques are signed by any of the two following persons;
 - President
 - Vice-President
 - Treasurer
 - Secretary
 - Director

or one other person nominated by the Board.

34. Auditor

- 34.1. The Auditor of the Coalition will be a registered Auditor who will be appointed as follows:
- 34.2. At each Annual General Meeting of the Coalition the members present will appoint a person who is not a member or the Public Officer of the Association as the Auditor of the Coalition.
- 34.3. A person so appointed will hold office until the Annual General Meeting next after the appointment and is eligible for re-appointment.
- 34.4. If an appointment is not made at an Annual General Meeting, the Board will appoint an Auditor of the Coalition for the then current financial year of the Coalition.
- 34.5. If a casual vacancy occurs in the office of Auditor during the course of a financial year of the Coalition, the Board may appoint a person as the Auditor and the person so appointed will hold office until the next succeeding Annual General Meeting.
- 34.6. The person appointed as auditor will not be a member or closely related to a member of the Board of the Coalition.

35. Audit of Accounts

- 35.1. Once at least in each financial year of the Coalition the accounts of the Coalition will be examined and certified as being true and correct by the Auditor.
- 35.2. The Auditors report should in certifying the accounts, state;
 - (a) whether the information required for the report was obtained;
 - (b) whether in the auditors opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Coalition according to the information obtained and the explanations given and as shown by the books of the Coalition and;
 - (c) whether the rules relating to the administration of the funds of the Coalition have been observed.
- 35.3. The Director of the Coalition will cause to be delivered to the Auditor a list of all the accounts, books and records of the Coalition within sufficient time for the Auditor to undertake the audit and report as required in the Act and these rules.
- 35.4. The Auditor:

- (a) has a right of access to the accounts, books, records, vouchers and documents of the Coalition;
- (b) may require from the staff and officers of the Coalition such information and explanations as may be necessary to perform the duties required at law and under these rules;
- (c) may employ persons to assist in investigating accounts of the Coalition; and
- (d) may, in relation to the accounts of the Coalition, examine any member of the Board or any member of staff of the Coalition.

36. Fees

- 36.1.** The Board will, in each year, determine the amount of the annual membership payable by organisational, associate and individual members of the Coalition.
- 36.2.** The annual membership fee will be due and payable on or before the first day of the financial year of the Coalition.
- 36.3.** The annual membership fee set may be on a differential scale according to income and may be waived at the discretion of the Board in cases of financial hardship, or charged on a pro rata basis for membership arising during the course of the financial year

37. Financial Year

- 37.1.** The Coalition's financial year will end on the thirtieth (30) day of June of each year and memberships will be due and payable on the first day of July each year.
- 37.2.** The financial year may be altered by resolution of the Board without the need to formally alter this constitution, to a calendar year, if in the opinion of the Board such an alteration will lead to compliance with the requirements of a statutory body, or if it is convenient to do so. Such a decision, if it occurs, must be conveyed to all members in writing at least three (3) months prior to becoming operational.

38. Services of Notices

- 38.1.** For the purpose of these rules a notice may be served by or on behalf of the Coalition upon any member at the members address shown in the register of members.
- 38.2.** Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document will, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

39. Right of Affiliation

- 39.1. The Coalition may apply for affiliation and/or association with any body having objects not inconsistent with those of the Coalition.

40. Common Seal

- 40.1. The seal of the Coalition will be in the form of a rubber stamp, inscribed with the name of the Coalition encircling the word seal.
- 40.2. The seal of the Coalition will not be affixed to any instrument except by the authority of the Board and the affixing thereof will be attested by the signatures either of two members of the Board or of one member of the Board and of the Public Officer of the Coalition or such other person as the Board may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the Board.
- 40.3. The seal must remain in the custody of the Public Officer.

41. Amendments to the Constitution

- 41.1. This constitution may be amended or altered by resolution of a Special General Meeting of the Coalition of which due notice has been given, passed by a three quarter (3/4) majority of those members present in person or by proxy and entitled to vote.
- 41.2. The terms of the proposed amendment/s must be included in the notice calling the Special General Meeting.
- 41.3. An amendment of the Objects of the Coalition will not be effective until approved by the registrar-general, all other amendments take effect immediately or on a date determined by the Board.
- 41.4. A copy of every alteration to the Objects and/or rules must be lodged with the registrar-general by the Public Officer within one (1) month, of the alteration being made.

42. Dissolution

- 42.1. The Coalition may be dissolved by a vote of three quarters (3/4) of the members at a Special General Meeting convened for that purpose. In the event of a dissolution, the meeting must resolve to pass the assets of the Coalition to an association having similar objects, or failing the existence of such an association operating principally within the ACT, as the members of the Coalition determine.
- 42.2. The liability of a member to contribute towards the payment of debts and liabilities of the Coalition or the costs, charges and expenses of the winding up of the Coalition is limited to the amount of any unpaid annual membership fees by the member.

43. Policy Forum

- 43.1. There shall exist a Policy Forum of the Coalition.

- 43.2.** The functions of the Policy Forum include:
- (a) to provide policy advice to the Board:
 - (b) to facilitate consultation within the youth sector: and
 - (c) to provide a forum for networking and information exchange by organisations and persons interested in youth affairs.
- 43.4.** Attendance and participation in the Policy Forum is open to any individual or any member of the Coalition.
- 43.5.** The Policy Forum will be conducted at least once every two (2) years.
- 43.7.** The Board may appoint a person to facilitate the Policy Forum from time to time.
- 43.9.** The Director is responsible for ensuring that all members are advised of the venue, time and date of the Policy Forum within a reasonable time prior to the Forum.