



# Constitution

The Korean Society of Victoria Australia Inc (ABN 51 790 229 817)

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## **PART 1—PRELIMINARY**

### **1. Name**

The name of the incorporated association is "The Korean Society of Victoria Inc", and is abbreviated as "KSV".

### **2. Purposes**

- 1) The purpose of the association is
  - (a) To create and maintain a society in which members make valuable and positive contributions to the collective interests of Australia and Korea. The purposes of the KSV are:
  - (b) To promote and enhance further the Korean community's contribution to the relationship between Korea and Australia;
  - (c) To instill and maintain cultural harmonization and integration of Korean migrants in the Australian community;
  - (d) To preserve, enrich and promote the Korean heritage and culture in the Australian community;
  
- 2) Under no circumstances, conditions, actions or events shall the activities or operations of the association confer any financial benefit or entitlement upon a Member or any person related to or connected with a Member or any other person and at all material times the association shall operate and conduct its business and operations on a non-profit basis.

### **3. Financial year**

The financial year of the Association is each period of 12 months ending on 30 June.

### **4. Address**

The Association is located at Unit 2, 21 - 29 Railway Avenue, Oakleigh, in Australia's State of Victoria.

### **5. Operation**

To achieve the purposes stated in Rule 2, the Association shall conduct the following businesses:

- 1) Plan and implement initiatives in a broad range of realms which includes, but is not limited to:
  - Education;
  - Language;
  - Culture;
  - Health;
  - Welfare; and
  - Religion.
  
- 2) Form "Sub-Groups" for projects that are to advance achievement of the purposes.

- 3) Launch competitions and gather opinions from the public for various causes.
  - 4) Sign contracts that are compatible with furtherance to the purposes.
- *Note:* The KSV is at all times to operate in compliance with the laws, regulations, orders and widely-accepted social norms of Australia and Korea.

## **6. Composition of the Association**

- 1) Committee of the Association; and
- 2) Sub-committees:
  - a) the Operation Committee (operation of meetings, finance, promotion and all other general operations); and
  - b) the Transition Management Committee (transition and financial management including fund-raising).

## **PART 2—MEMBERS AND GRIEVANCES**

### **Division 1—Membership**

#### **7. Who is eligible to be a member**

- 1) Australian citizens or permanent residents who reside in Victoria and are aged above eighteen (18) years old to join to become a member of the KSV.
- 2) Memberships of the KSV are always to remain open to all Australian citizens or permanent residents, irrespective of any cultural or ethnic background, so long as they have genuine intention to respect the values of the KSV.

#### **8. General rights of members**

- 1) A member of the Association who is entitled to vote has the right:
  - (a) to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
  - (b) to submit items of business for consideration at a general meeting; and
  - (c) to attend and be heard at general meetings; and
  - (d) to vote at a general meeting; and
  - (e) to have access to the minutes of general meetings and other documents of the Association as provided under the relevant rules; and
  - (f) to inspect the register of members.
- 2) A member is entitled to vote if:
  - (a) the member is a member other than an associate member; and
  - (b) more than 10 business days have passed since he or she became a member of the Association; and
  - (c) the member's membership rights are not suspended for any reason.

#### **9. Associate members**

An associate member must not vote but may have other rights as determined by the Committee or by resolution at a general meeting.

#### **10. Rights not transferable**

The rights of a member are not transferable and end when membership ceases.

#### **11. Ceasing membership**

- 1) The membership of a person ceases on resignation, expulsion or death.
- 2) If a person ceases to be a member of the Association, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members.

## **12. Resigning as a member**

- (1) A member may resign by notice in writing given to the Association.
- (2) A member is taken to have resigned if:
  - (a) the member's annual subscription is more than 12 months in arrears; or
  - (b) where no annual subscription is payable:
    - (i) the Secretary has made a written request to the member to confirm that he or she wishes to remain a member; and
    - (ii) the member has not, within 3 months after receiving that request, confirmed in writing that he or she wishes to remain a member.

## **Division 2—Grievance procedure**

### **13. Application**

- (1) The grievance procedure set out in this Division applies to disputes under these Rules between:
  - (a) a member and another member;
  - (b) a member and the Committee;
  - (c) a member and the Association.
- (2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

### **14. Parties must attempt to resolve the dispute**

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

### **15. Appointment of mediator**

- 1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 14, the parties must within 10 days:
  - (a) notify the Committee of the dispute; and
  - (b) agree to or request the appointment of a mediator; and
  - (c) attempt in good faith to settle the dispute by mediation.
- 2) The mediator must be:
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement:
    - (i) if the dispute is between a member and another member - a person appointed by the Committee; or
    - (ii) if the dispute is between a member and the Committee or the Association -

a person appointed or employed by the Dispute Settlement Centre of Victoria.

- 3) A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who
  - (a) has a personal interest in the dispute; or
  - (b) is biased in favour of or against any party.

#### **16. Mediation process**

- 1) The mediator to the dispute, in conducting the mediation, must:
  - a) give each party every opportunity to be heard; and
  - b) allow due consideration by all parties of any written statement submitted by any party; and
  - c) ensure that natural justice is accorded to the parties throughout the mediation process.
- 2) The mediator must not determine the dispute.

#### **17. Failure to resolve dispute by mediation**

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.



## PART 3—GENERAL MEETINGS OF THE ASSOCIATION

### 18. Annual general meetings

- 1) The Committee must convene an annual general meeting of the Association to be held within 5 months after the end of each financial year.
- 2) The Committee may determine the date, time and place of the annual general meeting.
- 3) The ordinary business of the annual general meeting is as follows:
  - (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then;
  - (b) to receive and consider:
    - (i) the annual report of the Committee on the activities of the Association during the preceding financial year; and
    - (ii) the financial statements of the Association for the preceding financial year submitted by the Committee;
  - (c) to elect the members of the Committee;
  - (d) to confirm or vary the amounts (if any) of the annual subscription and joining fee.
- 4) The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

### 19. Notice of general meetings

- 1) The Secretary must give to each member of the Association:
  - a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or
  - b) at least 14 days' notice of a general meeting in any other case.
- 2) The notice must:
  - a) specify the date, time and place of the meeting; and
  - b) indicate the general nature of each item of business to be considered at the meeting; and
  - c) if a special resolution is to be proposed:
    - i) state in full the proposed resolution; and
    - ii) state the intention to propose the resolution as a special resolution; and
  - d) comply with the relevant rules.
- 3) This rule does not apply to a disciplinary appeal meeting.

### 20. Proxies

- 1) A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting other than at a disciplinary appeal meeting.
- 2) The appointment of a proxy must be in writing and signed by the member making the appointment.

- 3) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.
- 4) If the Committee has approved a form for the appointment of a proxy, the member may use any other form that clearly identifies the person appointed as the member's proxy and that has been signed by the member.
- 5) Notice of a general meeting given to a member under rule 19 must:
  - a) state that the member may appoint another member as a proxy for the meeting; and
  - b) include a copy of any form that the Committee has approved for the appointment of a proxy.
- 6) A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.
- 7) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association no later than 24 hours before the commencement of the meeting.

## **21. Use of technology**

- 1) A member not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
- 2) For the purposes of this Part, a member participating in a general meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

## **22. Quorum at general meetings**

- 1) No business may be conducted at a general meeting unless a quorum of members is present.
- 2) The quorum for a general meeting is the presence (physically, by proxy or as allowed under rule 21) of 10% of the members entitled to vote.
- 3) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting:
  - a) in the case of a meeting convened by, or at the request of, members—the meeting must be dissolved;
  - b) in any other case:
    - i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and
    - ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written

notice given to all members as soon as practicable after the meeting.

- 4) If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under subrule (3)(b), the members present at the meeting (if not fewer than 3) may proceed with the business of the meeting as if a quorum were present.

### **23. Adjournment of general meeting**

- 1) The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- 2) Without limiting subrule (1), a meeting may be adjourned:
  - a) if there is insufficient time to deal with the business at hand; or
  - b) to give the members more time to consider an item of business.

#### **Example**

The members may wish to have more time to examine the financial statements submitted at an annual general meeting.

- 3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- 4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 19.

### **24. Voting at general meeting**

- 1) On any question arising at a general meeting:
  - a) subject to subrule (3), each member who is entitled to vote has one vote; and
  - b) members may vote personally or by proxy; and
  - c) except in the case of a special resolution, the question must be decided on a majority of votes.
- 2) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- 3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.

### **25. Special resolutions**

A special resolution is passed if not less than three quarters of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution.

#### **Note**

In addition to certain matters specified in the Act, a special resolution is required:

- a) to remove a committee member from office;
- b) to alter these Rules, including changing the name or any of the purposes of the Association.

## **26. Determining whether resolution carried**

- 1) Subject to subsection (2), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been:
  - a) carried; or
  - b) carried unanimously; or
  - c) carried by a particular majority; or
  - d) lost

and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.

- 2) If a poll (where votes are cast in writing) is demanded by three or more members on any question:
  - a) the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
  - b) the Chairperson must declare the result of the resolution on the basis of the poll.
- 3) A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.
- 4) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

## **27. Minutes of general meeting**

- 1) The Committee must ensure that minutes are taken and kept of each general meeting.
- 2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- 3) In addition, the minutes of each annual general meeting must include:
  - a) the names of the members attending the meeting; and
  - b) proxy forms given to the Chairperson of the meeting under rule 20(6); and
  - c) the financial statements submitted to the members in accordance with rule 18(4)(b)(ii); and
  - d) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and
  - e) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

## **PART 4—COMMITTEE**

### **Division 1—Powers of Committee**

#### **28. Role and powers**

- 1) The business of the Association must be managed by or under the direction of a Committee.
- 2) The Committee may exercise all the powers of the Association except those powers that these Rules or the Act require to be exercised by general meetings of the members of the Association.
- 3) The Committee may:
  - a) appoint and remove staff;
  - b) establish subcommittees consisting of members with terms of reference it considers appropriate.

#### **29. Delegation**

- 1) The Committee may delegate to a member of the Committee, a subcommittee or staff, any of its powers and functions other than:
  - a) this power of delegation; or
  - b) a duty imposed on the Committee by the Act or any other law.
- 2) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- 3) The Committee may, in writing, revoke a delegation wholly or in part.

### **Division 2—Composition of Committee and duties of members**

#### **30. Composition of Committee**

The Committee consists of:

- a) a President; and
- b) a Vice-President; and
- c) a Secretary; and
- d) a Treasurer; and
- e) other members appointed by the elected President, Vice-President, Secretary and Treasurer.

#### **31. General Duties**

- 1) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.

- 2) The Committee is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Committee comply with these Rules.
- 3) Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
- 4) Committee members must exercise their powers and discharge their duties:
  - a) in good faith in the best interests of the Association; and
  - b) for a proper purpose.
- 5) Committee members and former committee members must not make improper use of:
  - a) their position; or
  - b) information acquired by virtue of holding their position.

so as to gain an advantage for themselves or any other person or to cause detriment to the Association.
- 6) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.

### **32. President and Vice-President**

- 1) Subject to subrule (2), the President or, in the President's absence, the Vice-Presidents is the Chairperson for any general meetings and for any committee meetings.
- 2) If the President and the Vice-President are all absent, or are unable to preside, the Chairperson of the meeting must be:
  - a) in the case of a general meeting - a member elected by the other members present;  
or
  - b) in the case of a committee meeting - a committee member elected by the other committee members present.

### **33. Secretary**

- 1) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.

#### **Example**

Under the Act, the secretary of an incorporated association is responsible for lodging documents of the association with the Registrar.

- 2) The Secretary must:
  - a) maintain the register of members; and
  - b) maintain the register of members; and
  - c) keep custody of the common seal (if any) of the Association and all books, documents and securities of the Association; and
  - d) subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents; and
  - e) perform any other duty or function imposed on the Secretary by these Rules.
  
- 3) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

### **34. Treasurer**

- 1) The Treasurer must:
  - a) receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association; and
  - b) ensure that all moneys received are paid into the account of the Association within 5 working days after receipt; and
  - c) make any payments authorised by the Committee or by a general meeting of the Association from the Association's funds; and
  - d) ensure cheques are signed by at least 2 committee members; and
  - e) ensure that the financial records of the Association are kept in accordance with the Act; and
  - f) coordinate the preparation of the financial statements of the Association and their certification by the Committee prior to their submission to the annual general meeting of the Association.
  
- 2) The Treasurer must ensure that at least one other committee member has access to the accounts and financial records of the Association.

## **Division 3—Election of Committee members and tenure of office**

### **35. Who is eligible to be a Committee member**

A member is eligible to be elected or appointed as a committee member if the member—

- a) is 18 years or over; and
- b) is entitled to vote at a general meeting; and
- c) is a person or a person considered to be someone who possesses a degree of responsibility to the community by reason of their occupation, office, role or position, such as an accountant, teacher, church authority, medical practitioner, lawyer, or a person, by reason of their office or position, who is called upon, from time to time, to make decisions that directly affect the welfare or interests of the community.

### **36. Election of President etc.**

- 1) At the annual general meeting, separate elections must be held for each of the following positions:
  - (a) President;
  - (b) Vice-Presidents;
  - (c) Secretary;
  - (d) Treasurer.
- 2) If only one member is nominated for the position, the Chairperson of the meeting must declare the member be elected to the position.
- 3) If more than one member is nominated, a ballot must be held.
- 4) In his or her election, the new President may take over as President of the meeting.

### **37. Term of office**

- 1) A committee member holds office until the positions of the Committee are declared vacant at the next annual general meeting.
- 2) A committee member may be re-elected.
- 3) A general meeting of the Association may:
  - a) by special resolution remove a committee member from office; and
  - b) elect an eligible member of the Association to fill the vacant position in accordance with this Division.
- 4) A member who is the subject of a proposed special resolution under subrule (3)(a) may make representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.
- 5) The Secretary or the President may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting at which the special resolution is to be proposed.



### **38. Vacation of office**

- 1) A committee member may resign from the Committee by written notice addressed to the Committee.
- 2) A person ceases to be a committee member if he or she:
  - a) ceases to be a member of the Association; or
  - b) fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under rule 49.

**Note.**

A Committee member may not hold the office of secretary if they do not reside in Australia.

### **39. Filling casual vacancies**

- 1) The Committee may appoint an eligible member of the Association to fill a position on the Committee that:
  - a) has become vacant under rule 38; or
  - b) was not filled by election at the last annual general meeting.
- 2) If the position of Secretary becomes vacant, the Committee must appoint a member to the position within 14 days after the vacancy arises.

## **Division 4—Meetings of Committee**

### **40. Meetings of Committee**

- 1) The Committee must meet at least 4 times in each year at the dates, times and places determined by the Committee.
- 2) The date, time and place of the first committee meeting must be determined by the members of the Committee as soon as practicable after the annual general meeting of the Association at which the members of the Committee were elected.
- 3) Special committee meetings may be convened by the President or by any 4 members of the Committee.

### **41. Notice of meetings**

- 1) Notice of each committee meeting must be given to each committee member no later than 7 days before the date of the meeting.
- 2) Notice may be given of more than one committee meeting at the same time.
- 3) The notice must state the date, time and place of the meeting.
- 4) If a special committee meeting is convened, the notice must include the general nature of the business to be conducted.
- 5) The only business that may be conducted at the meeting is the business for which the meeting is convened.

#### **42. Urgent meetings**

- 1) In cases of urgency, a meeting can be held without notice being given in accordance with rule 41 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- 2) Any resolution made at the meeting must be passed by an absolute majority of the Committee.
- 3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

#### **43. Procedure and order of business**

- 1) The procedure to be followed at a meeting of a Committee must be determined from time to time by the Committee.
- 2) The order of business may be determined by the members present at the meeting.

#### **44. Use of technology**

- 1) A committee member who is not physically present at a committee meeting may participate in the meeting by the use of technology that allows that committee member and the committee members present at the meeting to clearly and simultaneously communicate with each other.
- 2) For the purposes of this Part, a committee member participating in a committee meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

#### **45. Quorum**

- 1) No business may be conducted at a Committee meeting unless a quorum is present.
- 2) The quorum for a committee meeting is the presence of a majority of the committee members holding office.
- 3) If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting:
  - a) in the case of a special meeting - the meeting lapses;
  - b) in any other case - the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 41.

#### **46. Voting**

- 1) On any question arising at a committee meeting, each committee member present at the meeting has one vote.
- 2) A motion is carried if a majority of committee members present at the meeting vote in favour of the motion.
- 3) Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee.
- 4) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.

#### **47. Conflict of interest**

- 1) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
- 2) The member:
  - a) must not be present while the matter is being considered at the meeting; and
  - b) must not vote on the matter.

#### **Note**

Under section 81(3) of the Act, if there are insufficient committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.

- 3) This rule does not apply to a material personal interest:
  - a) must not be present while the matter is being considered at the meeting; and
  - b) must not vote on the matter.

#### **48. Minutes of meeting**

- 1) The Committee must ensure that minutes are taken and kept of each committee meeting.
- 2) The minutes must record the following:
  - a) the names of the members in attendance at the meeting;
  - b) the business considered at the meeting;
  - c) any resolution on which a vote is taken and the result of the vote;
  - d) any material personal interest disclosed under rule 49.

#### **49. Leave of absence**

- 1) The Committee may grant a committee member leave of absence from committee meetings for a period not exceeding 3 months.
- 2) The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

## **PART 5—FINANCIAL MATTERS**

### **50. Source of funds**

- 1) The funds of the Association may be derived from joining fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the Committee.

### **51. Management of funds**

- 1) The Association must open accounts with financial institutions from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
- 2) Subject to any restrictions imposed by a general meeting of the Association, the Committee may approve expenditure on behalf of the Association.
- 3) The Committee may authorise the Treasurer or President to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.
- 4) All cheques, electronic transfers and other financial instructions must be authorised by 2 committee members.
- 5) All funds of the Association must be deposited promptly into a financial account of the Association.
- 6) With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

### **52. Financial Records**

- 1) The Association must keep financial records that—
  - (a) correctly record and explain its transactions, financial position and performance; and
  - (b) enable financial statements to be prepared as required by the Act.
- 2) The Association must retain the financial records for 7 years after the transactions covered by the records are completed.
- 3) The Treasurer must keep in his or her custody, or under his or her control—
  - (a) the financial records for the current financial year; and
  - (b) any other financial records as authorised by the Committee.

### **53. Financial Statements**

- 1) For each financial year, the Committee must ensure that the requirements under the Act

relating to the financial statements of the Association are met.

- 2) Without limiting subrule (1), those requirements include;
  - (a) the preparation of the financial statements;
  - (b) if required, the review or auditing of the financial statements;
  - (c) the certification of the financial statements by the Committee;
  - (d) the submission of the financial statements to the annual general meeting of the Association;
  - (e) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee

## **PART 6—GENERAL MATTERS**

### **54. Custody and inspection of books and records**

- 1) Members may on request inspect free of charge:
  - b) the register of members;
  - c) the minutes of general meetings;
  - d) subject to sub-rule (2), the financial records, books, securities and any other relevant document of the Association, including minutes of Committee meetings.
- 2) The Committee may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- 3) The Committee must on request make copies of these rules available to members and applicants for membership free of charge.
- 4) Subject to sub-rule (2), a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.
- 5) For purposes of this rule:

*relevant documents* means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following:

  - a) its membership records;
  - b) its financial statements;
  - c) its financial records;
  - d) records and documents relating to transactions, dealings, business or property of the Association.

## **55. Winding up and cancellation**

- (1) The Association may be wound up voluntarily by special resolution.
- (2) In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.
- (3) Any surplus of the following assets shall be transferred to a charitable organization with the aim of enriching multiculturalism in Australia for which the exact organization is to be considered, agreed and determined by the majority votes of the members at a special meeting.

## **56. Alteration of Rules**

- (1) The Rules of the Association will take effect upon the Committee's approval and can be modified to accommodate changes in circumstances over the course of implementation.
- (2) These Rules may only be altered by special resolution of a general meeting of the Association.

### **Note**

An alteration of these Rules does not take effect unless or until it is approved by the Registrar. If these Rules (other than rule 1, 2 or 3) are altered, the Association is taken to have adopted its own rules, not the model rules.

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