

THE RULES (CONSTITUTION) OF
THE WESTERN AUSTRALIA - SRI LANKA (CEYLON) ASSOCIATION INC

SECTION 1 THE ASSOCIATION

Rule

1.1 NAME

The Association shall be known as The Western Australia-Sri Lanka (Ceylon) Association (Inc).

1.2 NOT FOR PROFIT ASSOCIATION

- (1) The property and income of the Association must be applied towards the promotion of the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.
- (2) A payment may be made to a member out of the funds of the Association only if it is authorised under sub-rule (3).
- (3) A payment to a member out of the funds of the Association is authorised if it is the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or the payment of interest, on money borrowed by the Association from the member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or the payment of reasonable rent to the member for premises leased by the member to the Association; or the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association

1.3 INTERPRETATIONS

The following words and expressions, unless inconsistent with the context, shall have the meanings hereinafter assigned to them.

- (1) **The Act** means the Associations Incorporation Act 2015

The Association means The Western Australia Sri Lanka (Ceylon) Association Inc.

General meeting means a meeting of the Association that all members are entitled to receive notice of and to attend

The General Committee means all persons elected to the Committee at the Annual General Meeting of the Association and those appointed under Rule 3.6.

General Membership means the financial members of the Association.

Financial Year means the period of twelve months, commencing the first day of July of a year and ending on the thirtieth day of June of the following year.

Financial Member means a member who is not in arrears of his subscription for the financial year

Member means a person acceptable to membership of the Association under Section 2 of these Rules and whose name is entered into the Membership Register of the Association.

Annual Membership Subscription shall include any period during a financial year.

Office Bearers mean the President, vice Presidents, Secretary, Treasurer and Editor as referred to in Section 3 of these Rules.

Ordinary committee member' means a committee member who is not an office bearer of the Association, under Rule 3.1'

Ordinary Resolution means a resolution other than a Special Resolution.

Special Resolution is a resolution if it is passed by the votes of not less than three fourths of the members who cast a vote, at a general meeting of the Association, of which written notice of the proposed resolution, setting out its wording and the time and place of the general meeting at which it is proposed to be moved, has been given'

The Seal means the common seal of the Association.

Rules mean the Rules of the Association, which are in force from time to time.

The Model Rules means the Model Rules contained in the Regulations under the Associations Incorporations Act 2015

Special general meeting means a general meeting of the Association other than the annual general meeting

- (2) Words importing to the masculine gender shall be deemed and taken to include feminine and the singular to include the plural.

1.4. OBJECTS

- (1). The Objects of the Association are:
- (a) to promote and develop co-operation, friendly relations and mutual understanding between the people of Australia and Sri Lanka (Ceylon);
 - (b) to take all steps necessary or expedient to promote cultural and sporting activities and to facilitate the social meeting of members and their friends;
 - (c) to assist people from Sri Lanka (Ceylon) intending to migrate to Western Australia with advice and information, if so required;
 - (d) to facilitate the integration into the Australian community of migrants from Sri Lanka (Ceylon);

- (e) to counsel, advise and assist, within the capabilities of the Association, people from Sri Lanka (Ceylon) residing in Western Australia, if so required in matters relating to their welfare;
- (f) to promote youth activities within the Association in keeping with the existing objects of the Association;
- (g) to provide assistance, to persons affected by declared natural disasters in Sri Lanka and charities recognised by the government of Sri Lanka for the time being and to charities in Australia recognised as approved charities by the Commissioner of Taxation;
- (h) to acquire assets and funds as empowered by section 14 of the Act and to manage and administer the same as may appear beneficial in the interests of the Association and its members in accordance with these Rules and do all such other things as are incidental or conducive to the attainment of the above objects.
- (i) to keep in mind the diversity of the Australian community and promote awareness and enhance understanding between the Sri Lankan community members and members of other groups and also promote Sri Lankan youth to participate fully in the community
- (j) to associate ourselves in sponsoring or raising funds for worthwhile West Australian charitable institutions laying special emphasis on health and related programs.

(2). Powers

The powers of the Association are derived from Section 14 of the Associations Incorporation Act 2015.

SECTION 2 THE MEMBERSHIP

2.1 MEMBERSHIP

- (a) Any person who is 18 years of age or over is eligible to become a member of the Association.
- (b) Application for membership shall be made on the appropriate form available from the Honorary Secretary. The subscription for the year must be enclosed with the application.
- (c) The Honorary Secretary shall table all applications for membership at the next meeting of the General Committee. A person shall be declared elected if he receives a majority of not less than two-thirds of the votes of the committee members present and voting at the meeting.
- (d) The Secretary shall notify the applicant in writing within 14 days of such meeting of the acceptance or rejection of the application. The Committee may reject an application even if the applicant has met all the requirements. The committee must notify the committee's decision as soon as practicable after

making the decision. The committee is not required to give the applicant its reason for doing so.

- (e) No person shall have any of the rights of membership of the Association until his or her application has been accepted by the Committee, or in the case of an appeal to the General Membership of the Association as referred to in rule 2.7 has been upheld and the applicant has been notified by the Honorary Secretary.
- (f) Upon admission and becoming financial each member shall be provided with a copy of the Constitution of the Association free of cost.
- (g) Membership ceases on the death of a member, for non-payment of subscriptions (per Rule 2.4), resignation (per Rule 2.6) or expulsion (per Rule 2.7)

2.2 CATEGORIES OF MEMBERSHIP

- (a) **Ordinary Single Members** – Persons who are not members under categories (b) to (g) below
- (b) **Ordinary Family Members** – Couples. Includes spouse, dependent children under 18 years and members' parents with no independent income
- (c) **Pensioner Single Members** – Persons solely dependent on pensions or on social service benefits or on both such pensions and benefits.
- (d) **Pensioner Family Members** – Couples solely dependent on pensions or on social service benefits or on both such pensions and benefits.
- (e) **Student Members** – Persons over eighteen years of age who are apprenticed or are full time students or overseas students who have acquired temporary residency.
- (f) **Honorary Members** – Persons on whom the General Committee confers Honorary Membership. Such Honorary Membership shall be for such a period of time as the General Committee, in its discretion, determines. .
- (g) **Honorary Life Members** – Members on whom the General Membership confers Life Membership. Life Membership shall not be conferred on a member, unless the General Committee has by a two thirds majority recommended such membership and unless such recommendation has been endorsed by at least two-thirds of the members present, voting on that matter at a Special General Meeting or at the next Annual General Meeting.

2.3 SUBSCRIPTIONS

Members shall in Annual General Meeting determine the amount of subscription to be paid by members.

2.4 PAYMENT OF SUBSCRIPTIONS

- (a) Subscriptions shall be payable in advance to the Honorary Treasurer who shall issue a receipt to the member. The Honorary Secretary and Honorary Treasurer shall jointly maintain an up-to-date register of Financial Members.
- (b) Any member who is in arrears of his subscription for three months after the beginning of the financial year shall cease to be a member.
- (c) The Honorary Treasurer shall send a final notice by mail to such members and if the arrears remain unpaid at the end of three months from the date of notice the name of the member shall be removed from the register of Members.
- (d) The names of all members in arrears for more than three months shall be tabled by the Honorary Treasurer at the meeting of the General Committee to be held immediately following the sending of the final notice.
- (e) If any person, who has ceased to be a member pursuant to sub-rule 2.4 (b) in any financial year, applies to be a member in the course of that year, that person shall be permitted to do so only if he pays the annual membership subscription for that year.
- (f) Where a person, who has ceased to be a member pursuant to sub-rule (b) above or whose name has been removed from the register of the members pursuant to sub-rule (c) above, applies for membership anytime after the financial year in which he ceased to be a member or was removed from the register, as the case may be; he shall not be required to pay arrears for the year in which he ceased to be a member or his name was removed from the register of members, and any such application shall be treated as a new application for membership.
- (g) Where a person other than a person referred to in sub-rule (b) applies for membership after the 31st day of December the annual subscription for that financial year shall be half the amount payable.

2.5 REGISTER OF MEMBERS

- (1) The secretary, or another person authorised by the committee, is responsible for the requirements imposed on the Association under section 53 of the Act to maintain the register of members and record in that register any change in the membership of the Association. The Register of members will include each member's name and residential, postal or email address or information, by means of which contact can be made with the member.
- (2) In addition to the matters referred to in section 53(2) of the Act, the register of members must include the class of membership (if applicable) to which each member belongs and the date on which each member becomes a member
- (3) The register of members must be kept at the secretary's place of residence, or at another place determined by the committee

- (4) A member who wishes to inspect the register of members must contact the Secretary to make the necessary arrangements.
- (5) If a member inspecting the register of members wishes to make a copy of, or take an extract from, the register under section 54(2) of the Act; or a member makes a written request under section 56(1) of the Act to be provided with a copy of the register of members, the committee may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the Association.
- (6) The Honorary Secretary shall cause the name of a person who dies or ceases to be a member under Rules 2.6 and 2.7 to be deleted from the register of members.

2.6 RESIGNATION OF MEMBERS

- (1) A member who delivers notice in writing of his or her resignation from the Association to the Honorary Secretary ceases to be a member when the Honorary Secretary receives the notice, or if a later time is stated in the notice, at that later time'
- (2) A person who ceases to be a member under sub-rule 2.6 (1) remains liable to pay to the Association the amount of any subscription due and payable by that person to the Association but unpaid at the date of that cessation.

2.7 EXPULSION OF MEMBERS

- (1) The Committee may decide to suspend a member's membership or to expel a member from the Association if —
 - (a) the member contravenes any of these rules; or
 - (b) the member acts detrimentally to the interests of the Association.
- (2). The Secretary must give the member written notice of the proposed suspension or expulsion at least 28 days before the committee meeting at which the proposal is to be considered by the committee
- (3) The notice given to the member must state —
 - (a) when and where the committee meeting is to be held; and
 - (b) the grounds on which the proposed suspension or expulsion is based; and
 - (c) that the member, or the member's representative, may attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion;
- (4) At the committee meeting, the committee must —

- (a) give the member, or the member's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the committee about the proposed suspension or expulsion; and
 - (b) give due consideration to any submissions so made; and
 - (c) decide - whether or not to suspend the member's membership and, if the decision is to suspend the membership, the period of suspension; or whether or not to expel the member from the Association.
- (5) A decision of the Committee to suspend the member's membership or to expel the member from the Association takes immediate effect.
 - (6) The Committee must give the member written notice of the Committee's decision, and the reasons for the decision, within 7 days after the committee meeting at which the decision is made.
 - (7) A member whose membership is suspended or who is expelled from the Association may, within 14 days after receiving notice of the Committee's decision under sub-rule (6), give written notice to the Secretary requesting the appointment of a mediator.
 - (8) If notice is given under sub rule (7), the member who gives the notice and the committee are the parties to the mediation.

2.8 GRIEVANCES AND DISPUTES

When there is a dispute pertaining to the Rules, the first step would be mediation between the concerned parties and the Management Committee. If it is not resolved, the procedure as set out in the Model Rules will be followed.

SECTION 3 THE MANAGEMENT

3.1 OFFICE BEARERS

- (1) The Office Bearers of the Association shall be elected at each Annual General Meeting from nominations and shall consist of:
 - (i).The President
 - (ii).Two Vice-Presidents
 - (iii).An Honorary Secretary
 - (iv).An Honorary Treasurer
 - (v) An Editor

provided that:

- (2) The President shall be eligible for re-election for not more than two consecutive terms.

- (3) A person shall serve at least one year as a General Committee member before becoming eligible to hold the office of President.
- (4) Nominations for positions of office bearers or of ordinary committee members shall be:
 - (a) of and by persons who are financial members of the Association.
 - (b) in writing or proposed and seconded at the meeting from and by financial members present.

Written nominations should be signed by the nominee and one other financial member and be delivered to the Honorary Secretary not less than one week before the date of the Annual General Meeting at which the election is to take place.

- (5) Where there is more than one valid nomination for any post of office bearer the member who receives the greatest number of votes at the election at the Annual General Meeting shall be declared elected to that post; provided that where more than one person has been nominated for an office, an election shall be conducted in accordance with sub-rules 3.1 (6) and 3.1 (7).
- (6) The election shall be by a majority of those financial members present and voting, by an open show of hands or by secret ballot, if so requested by at least three members present.
- (7) A tie shall be decided by the toss of a coin.

3.2 GENERAL COMMITTEE

- (a) The General Committee shall consist of:
 - (i) The six office bearers
 - (ii) Nine ordinary committee members who shall be elected in the same manner as are the office bearers, one such committee member to be designated Assistant Secretary and another as Assistant Editor.
 - (iii) The Immediate past President, if not elected to any other office for the current year, shall be, *ex-officio*, an ordinary committee member for that year.
 - (iv) If at an Annual General Meeting, members fail to elect the full number of nine committee members referred to in (ii) above, the office bearers and the committee members elected at that meeting may, by a decision supported by at least three fourths of them, nominate other financial members to fill the vacancies on the committee. Such nomination shall be in respect of no more than three vacancies and be made within three months of the date of the Annual General Meeting. Members so nominated shall hold office until the next Annual General Meeting.
- (b) The General Committee shall meet at least every two months provided that the General Committee shall meet in the month of July.
- (c) The quorum for a General committee meeting shall be five

- (d) A member of the General Committee shall be deemed to have vacated office if he is absent for three consecutive meetings of the General Committee, unless the President has been personally notified and has approved of his absence.
- (e). The term of the General Committee shall be from the Annual General Meeting to the next Annual General Meeting of the subsequent year.
- (f) (i). The presence of a committee member at a committee meeting need not be by attendance in person but may be by that committee member and each other committee member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.

(ii). A member who participates in a committee meeting as allowed under paragraph (i) above, is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person
- (g). A person is prohibited from sitting on the General Committee if he or she -
 - (i). is an undischarged bankrupt or their affairs are under insolvency laws
 - (ii) has been convicted of an offence in connection with the promotion, formation, or management of a body corporate.
 - (iii) has been convicted of an offence involving fraud or dishonesty punishable on conviction by at least three months or more imprisonment
 - (iv). has been convicted of an offence under Division 3 (the duties of officers provisions) or Section 127 (the duty with respect to incurring of debt) of the Act.
 - (v) Where a person is prohibited because they have been convicted of an offence they cannot be a committee member for a period of 5 years from their conviction, except where the conviction resulted in imprisonment, in which case they cannot be a committee member for five years from their release
- (h). All Committee members have an obligation to make themselves aware of the requirements under the Act.

3.3 POWERS OF THE GENERAL COMMITTEE

- (a) The General Committee shall control and manage the Association and take all reasonable steps to ensure that the Association complies with the Act, these rules and the by-laws (if any)
- (b) The Association may, by resolution at a general meeting, make, repeal or amend by-laws not inconsistent with these rules or with the provisions of the Act, to carry out the objects of the Association
- (c). At the request of a member, the Association must make a copy of the by-laws available for inspection by the member
- (d) The General Committee shall open and maintain an account with a bank or recognised financial institution into which all monies of the Association shall be paid.

- (e) A committee member must not publish, or cause to be published, any statement about the business conducted by the Association at a general meeting or committee meeting unless —
 - (a) the committee member has been authorised to do so at a committee meeting; and
 - (b) the authority given to the committee member has been recorded in the minutes of the committee meeting at which it was given.

3.4 SUB-COMMITTEES

- (a) The General Committee shall from time to time appoint sub-committees from within its members for any purpose necessary or expedient to promote the objects of the Association or its members. Provided however that at the first meeting of the General committee each year sub-committees for the following purposes may be appointed;
 - i. Cultural
 - ii. Social
 - iii. Property
 - iv. Premises
 - v. Senior members
 - vi. Youth and sports
 - vii. Membership
 - viii. Public relations
 - ix. Finance
- (b) A sub-committee appointed under this clause shall carry out its functions subject to the General Committee and these rules.
- (c) The Chairman of a sub-committee shall be appointed by the General Committee.
- (d) The President, Vice-Presidents, Honorary Secretary and Honorary Treasurer shall be ex-officio members of any sub-committee and shall be given due notice of each sub-committee meeting.
- (e) A sub-committee shall meet whenever the Chairman of the sub-committee deems a meeting necessary.
- (f) A written record of all business carried out at a meeting of a sub-committee shall be maintained and a written report submitted at the next General Committee Meeting.
- (g) The quorum for a meeting of the sub-committee shall be three if every member of the sub-committee has been notified of the meeting.
- (h) Every sub-committee shall have the power to co-opt any member or an adviser to give advice and/or assistance on any matter relating to the sub-committee's activities.

3.5 DUTIES OF OFFICE BEARERS

(1) PRESIDENT

- (a) The President shall preside at all General Meetings and General Committee meetings. In his absence the Vice Presidents shall take turns or mutually agree to preside and see the term through or if neither is present the Chairperson shall be selected by those present at General Committee meetings and at General Meetings by those present, chosen from among the members of the General Committee.
- (b) The Chairman at all meetings shall have a deliberative vote and should there be an equality of votes, a casting vote.
- (c) The President shall represent the Association on all occasions wherever this is possible and maintain the prestige and promote the good name of the Association.

(2) THE VICE PRESIDENTS

The Vice Presidents shall preside at all General Meetings and General Committee Meetings in the absence of the President and perform the other duties of the President in his absence and such other duties as are imposed on them by the General Committee

(3) HONORARY SECRETARY

The Honorary Secretary shall -

- (a) co-ordinate the correspondence of the Association.
- (b) maintain on behalf of the Association an up-to-date copy of these rules, as required under section 35(1) of the Act;
- (c) unless another member is authorised by the committee to do so, maintain on behalf of the Association a record of committee members and other persons authorised to act on behalf of the Association, as required under section 58(2) of the Act;
- (d) ensure the safe custody of the books of the Association, other than the financial records, financial statements and financial reports, as applicable to the Association;
- (e) maintain full and accurate minutes of committee meetings and general meetings;
- (f) keep full and correct minutes of proceedings of the General Meetings, General committee and Sub-committee meetings of the Association
- (g) carry out any other duty given to the secretary under these rules or by the committee

(4) HONORARY TREASURER

The Honorary Treasurer shall -

- (a) ensure that any amounts payable to the Association are collected and issue receipts for those amounts in the Association's name;
- (b) ensure that any amounts paid to the Association are credited to the appropriate account of the Association, as directed by the committee;

- (c) ensure that any payments to be made by the Association that have been authorised by the committee or at a general meeting are made on time;
- (d). ensure that the Association complies with the relevant requirements of Part 5 of the Act;
- (e) ensure the safe custody of the Association's financial records, financial statements and financial reports, as applicable to the Association;
- (f) coordinate the preparation of the Association's financial statements before their submission to the Association's annual general meeting;
- (g) provide any assistance required by an auditor or reviewer conducting an audit or review of the Association's financial statements or financial report under Part 5 Division 5 of the Act;
- (h) carry out any other duty given to the treasurer under these rules or by the committee.

(5) EDITOR

The Editor shall be responsible for all newsletters, bulletins and other publications issued by the Association.

3.6 VACANCIES IN MEMBERSHIP OF COMMITTEES

- (1) Whenever a vacancy occurring in a committee or sub-committee is required to be filled between the date of periodical elections, the following provisions shall apply.
 - (a) where the vacancy is in the office of President, the vacancy shall be filled by the General committee by the election of one of the two Vice Presidents of the Association, to fill such vacancy,
 - (b) where the vacancy is that of an office bearer of the Association the President shall appoint a member of the General Committee to the vacant position,
 - (c) where the vacancy is in the position of a committee member the President shall appoint any member of the Association to fill such vacancy.
- (2) The term of office of any person so appointed shall be for the remainder of the term of the person whose office is filled under the relevant provisions of this paragraph.

3.7. RESIGNATION AND REMOVAL FROM OFFICE

- (1) A committee member may resign from the committee by written notice given to the Secretary or, if the resigning member is the secretary, given to the President
- (2) The resignation takes effect —
 - (a) when the notice is received by the secretary or the President, or
 - (b) if a later time is stated in the notice, at the later time.

- (3) At a general meeting, the Association may by resolution —
 - (a) remove a committee member from office; and
 - (b) elect a member who is eligible under rule 3.6 to fill the vacant position.
- (4) A committee member who is the subject of a proposed resolution under sub rule (3)(a) may make written representations (of a reasonable length) to the secretary or president and may ask that the representations be provided to the members.
- (5) The secretary or president may give a copy of the representations to each member or, if they are not so given, the committee member may require them to be read out at the general meeting at which the resolution is to be considered

3.8. RECORD OF OFFICE HOLDERS

The record of committee members and other persons authorised to act on behalf of the Association that is required to be maintained under section 58(2) of the Act must be kept in the secretary's custody or under the secretary's control

SECTION 4. MEETINGS

4.1 ANNUAL GENERAL MEETING

- (1) The Annual General Meeting of the Association shall be held before the 31st day of August in each year, on a date to be fixed by the General committee.
- (2) Notice of the Annual General Meeting specifying the Agenda and any motion duly proposed and seconded shall be given in writing to all financial members by the Honorary Secretary and not less than two weeks before the date of the meeting or not less than three weeks before the date of the meeting if a special resolution is to be proposed at that meeting
- (3) Only members who were financial members at the time notice of the meeting was given shall be entitled to vote or accept office at a general meeting. Dependent children under 18 years of age and members' parents with no independent income who are covered under Family memberships are not eligible to vote

4.2 SPECIAL GENERAL MEETING

- (1) At the request of the President or at the written request of not less than 20% of financial members, the Honorary Secretary shall convene a Special General Meeting.
- (2) Notice of a Special General Meeting shall be given in writing to all financial members by the Honorary Secretary, not less than two weeks before the date of the meeting or not less than three weeks before the date of the meeting if a special resolution is to be proposed at that meeting

4.3 QUORUM

- (1) The quorum for a General Meeting shall be thirty or one-fifth of the number of the financial members, whichever shall be the lesser
- (2) Where at any meeting the quorum is not present within thirty minutes of the time fixed in the notice calling the meeting, the meeting shall be adjourned to a date and time fixed by the General Committee.
- (3) The Honorary Secretary shall send notice in writing of such adjourned meeting to all financial members not later than 14 days from the date of such meeting.
- (4) If at an adjourned meeting called pursuant to these rules, a quorum in relation to that meeting is not present within thirty minutes of the time fixed in the notice calling the meeting, fifteen members then present shall constitute a quorum and may transact the business for which the meeting was called.

4.3 NOTICE OF MEETINGS

- (1). Notices of meetings shall be addressed to and be sent to members, to their residential, postal or email addresses, as nominated by them for sending such notices to them. Members are responsible for notifying the honorary secretary of any changes to their addresses. If they fail to do so, the addresses last notified will be deemed to be the current addresses.
- (2) The accidental failure to give any notice required by these Rules shall not affect the validity of any decision or action taken or made, or any resolution passed at or by any meeting at which a quorum was present.

4.5. USE OF TECHNOLOGY TO BE PRESENT AT GENERAL MEETINGS

- (1) The presence of a member at a general meeting need not be by attendance in person but may be by that member and each other member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- (2) A member who participates in a general meeting as allowed under sub-rule (1) is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person

4.6. PROXIES

- (1) Subject to sub-rule (2), a member may appoint an individual who is a member as his or her proxy to vote and speak on his or her behalf at a general meeting.
- (2) A member may be appointed the proxy for not more than 5 other members.
- (3) The appointment of a proxy must be in writing and signed by the member making the appointment.
- (4) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf.

- (5) If no instructions are given to the proxy, the proxy may vote on behalf of the member in any matter as the proxy sees fit.
- (6) If the committee has approved a form for the appointment of a proxy, the member may use that form or any other form that clearly identifies the person appointed as the member's proxy; and that has been signed by the member.
- (7) Notice of a general meeting given to a member must state that the member may appoint an individual who is a member as a proxy for the meeting; and include a copy of any form that the committee has approved for the appointment of a proxy.
- (8) A form appointing a proxy must be given to the secretary before the commencement of the general meeting for which the proxy is appointed.
- (9) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association not later than 24 hours before the commencement of the meeting.

SECTION 5 FINANCIAL

5.1 FINANCE

- (1) At each meeting of the General Committee the Honorary Treasurer shall table a statement of receipts and payments for information and approval.
At the meeting held in July the Honorary Treasurer shall present a duly audited Balance Sheet and Statement of Accounts for the preceding year.
- (2). All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments of the Association must be signed by two office bearers. All electronic funds transfers on behalf of the association shall be approved by two office bearers, one of whom shall be the Honorary Treasurer and in the absence of the Treasurer approved by the President and one other office bearer.
- (3) At each Annual General Meeting
 - (a) The President's Report for the financial year shall be tabled.
 - (b) The Honorary Treasurer shall present a statement of accounts for the preceding financial year, duly audited by the Honorary Auditor.
 - (c) There shall be elected an Honorary Auditor who shall not be a member of the General Committee or of any sub-committee.

5.2 BUILDING RESERVE INVESTMENT FUND

- (1) The General Committee may at its sole discretion, from time to time transfer to the Building Reserve Investment Account surplus funds arising out of the activities of the Association of either a revenue and / or of a capital nature.
- (2) The funds invested in the Building Reserve Investment Fund including interest or other income derived from the Building Reserve Investment Fund, except for an amount not exceeding the amount of interest earned, before tax, in that financial year and not exceeding five thousand dollars shall not be withdrawn, utilised or otherwise disposed of, in any one financial year, without the approval at a General Meeting of a Special Resolution

SECTION 6 MISCELLANEOUS

6.1 AFFILIATIONS

Any organisation with aims similar, wholly or in part to the objects of the Association may after dialogue with the Association, lodge an application for affiliation, which may be approved by the General Committee.

6.2 NAME AND SEAL

- (1) The name of the Association may be mentioned in all notices, advertisements and other publications of the Association.
- (2) The Association shall have its name engraved in legible characters upon a Seal, which shall be in the custody of the Honorary Secretary.
- (3) The Seal shall be used only under the authority of a resolution of the General committee, the date whereof shall be mentioned on the instrument to which the Seal is attached.
- (4) The fixing of the Seal shall be attested by the signature of the President, or in the absence of that officer, one of the Vice-Presidents, and the counter signature of the Honorary Secretary or Treasurer.
- (5) The Seal of the Association shall be a device circular in shape, enclosing in outline the map of the State of Western Australia, depicted on a dark field with the map of the Island of Sri Lanka superimposed thereon.

6.3 ALTERATION TO NAME, OBJECTS OR RULES

- (1) Any alteration to the name, or any alterations, variations to rescission or addition to the objects of the Association, or these Rules may only be made by a Special Resolution.
- (2) For the purpose of this rule the expression “these rules” shall not be deemed to include by-laws made by the General committee from time to time.

6.4 CUSTODY OF BOOKS AND SECURITIES

- (1) Subject to sub-rule (2), the books and any securities of the Association must be kept in the secretary's custody or under the secretary's control.
- (2) The financial records and, as applicable, the financial statements or financial reports of the Association must be kept in the treasurer's custody or under the treasurer's control.
- (3) Sub-rules (1) and (2) have effect except as otherwise decided by the committee.
- (4) The books of the Association must be retained for at least 7 years.

6.5 DISSOLUTION

- (1) The Association may at any time, with the consent of a majority of three fourths of the members present, at a General Meeting called for the purpose, be dissolved
- (2) Upon dissolution of the Association, any property real or personal in excess of its liabilities shall not be distributed amongst the members but shall be distributed 'in accordance with the provisions of section 24 (1) of the Act'

6.6 CONFLICT OF INTEREST

- (1) All officers, members of committee and sub-committees and all officers in the employ of the Association who have a pecuniary or other interest in any matter which conflicts or can be reasonably shown to have the potential to conflict with the conduct of their official duties of the Association, shall provide a written statement disclosing the fact and nature of that interest to the General Committee, as soon as practicable after the relevant facts have come to his or her attention.
- (2) Any person mentioned in sub-rule (1) shall not have voting rights when the committees or sub committees he or she is a member of, is voting on matters he or she can be shown to have a conflict of interest in.

6.7 INSPECTION OF RECORDS AND DOCUMENTS

- (1) Sub-rule (2) applies to a member who wants to inspect
 - (a) the register of members under section 54(1) of the Act; or
 - (b) the record of the names and addresses of committee members, and other persons authorised to act on behalf of the Association, under section 58(3) of the Act; or
 - (c) any other record or document of the association.
- (2) The member must contact the secretary to make the necessary arrangements for the inspection.

- (3) The inspection must be free of charge.
- (4) If the member wants to inspect a document that records the minutes of a committee meeting, the right to inspect that document is subject to any decision the committee has made about minutes of committee meetings generally, or the minutes of a specific committee meeting, being available for inspection by members.
- (5) The member may make a copy of or take an extract from a record or document referred to in sub-rule (1) (c) but does not have a right to remove the record or document for that purpose.
- (6) The member must not use or disclose information in a record or document referred to in sub-rule (1) (c) except for a purpose —
 - (a) that is directly connected with the affairs of the Association; or
 - (b) that is related to complying with a requirement of the Act.

7.9.18

Incorporating changes made at the AGM 26 August 2018.

