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EASTWOOD COMMUNITY CENTRE INC.

CONSTITUTION AND RULES

Format approved on 17/9/08 at the Annual General Meeting duly convened under Rule No 7 and acting in accordance with the provisions of Rule No 9

(Incorporating amendments made on 16/06/1999 and 15/9/1999 and duly registered under the Associations Incorporation Act.)

1. RULES

The name of the Incorporated Association is EASTWOOD COMMUNITY CENTRE INCORPORATED, referred to herein as the “Association”.

2. DEFINITIONS

In these rules, unless the contrary intention appears:

“Committee” means the Committee of Management of the Association;

“Meeting” means a meeting of Committee Members of the Association convened in accordance with these rules;

“Act” means the Associations Incorporation Act, 1985;

“Centre” means the property and facility known as Eastwood Community Centre at 95, Glen Osmond Road, Eastwood, 5063 and any annexes or additions thereto and any other property under the care of the Association;

“Council” means the City of Burnside.

3. OBJECTS AND PURPOSE

To maintain and manage the Council facility at 95, Glen Osmond Road, Eastwood, (known as Eastwood Community Centre) and any annexes or additions thereto, at all times for the benefit and promotion of the welfare of the community generally and of individuals, families and groups within the

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community; to provide an attractive, accessible, well provisioned, well staffed Centre responsive to changing community needs, and to:

- (a) be a hub for the community through the provision of a venue for meeting on an educational, casual, social, recreational or cultural basis;
- (b) offer a diverse range of social, recreational and support programs to members of the community for the purpose of encouraging community development and community-orientated actions directed towards strengthening, establishing and developing social networks, self-help groups and support systems for the creation of self reliance, confidence and the capacity to improve the knowledge, skills and quality of life in the community;
- (c) seek to identify disadvantaged groups and to facilitate access and participation in programs to suit their needs and increase community awareness of such needs;
- (d) be a source of community information and education;
- (e) engage in community based training and provide educational and other support programs aimed at strengthening community, family and individual functioning;
- (f) promote community links and foster interaction amongst members of the community and cooperate with other bodies with similar objectives whenever possible;
- (g) Encourage a high level of community and volunteer involvement and participation;
- (h) Promote and encourage literature, science, the arts and cultural awareness within the community and
- (i) Seek private funding and public funding by all proper and available means to assist in securing the cost of pursuing the objects of the Association.

4. POWERS, DUTIES AND FUNCTIONS

- (a) For the purpose of carrying out the objects, the Association, subject to the Act and Rules, shall:

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- (j) administer and manage the Council property known as Eastwood Community Centre at 95, Glen Osmond Road, Eastwood and any annexes or additions thereto and any other property under the care of the Association;
 - (ii) open and operate bank accounts for revenue received and expenditure incurred by the Association, to be operable by two signatories, being any two persons authorised for such purpose;
 - (iii) invest monies and expend accrued funds in accordance with the objects and purpose of the Centre;
 - (iv) appoint agents to transact any business of the Association on its behalf;
 - (v) enter into contracts it considers necessary and desirable;
 - (vi) develop programmes and projects that assist in achieving the stated objects and purpose;
 - (vii) grant licenses for and fix charges and fees to be paid for the use of the Centre or any part thereof. (The Committee shall not grant any lease of the Centre or any part thereof or otherwise restrict or delegate its control and management of the Centre without the consent in writing of Council.)
- (b) The income of the Centre shall be expended wholly for the purpose of the improvement, development and maintenance of the Centre and achieving the objects and purpose of the Association.
- (c) Subject to this rule the Association may borrow money from banks or other financial institutions upon such terms and conditions as the Committee sees fit, and may secure the repayment thereof by charging the property of the Association.
- (d) Subject to section 53 of the Act the Association may invite and accept deposits of money from any person on such terms and conditions as may be determined by the Committee from time to time.

5. THE COMMITTEE

- (a) The affairs of the Association shall be managed and controlled exclusively by a Committee which, in addition to any powers and authorities conferred by these rules, may exercise all such powers and do all such things as are within the objects of the Association and in accordance with the requirements of the Act.

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(b) The Committee shall have the power to appoint such officers and employees as are required to carry out the objects of the Association and may discuss with or delegate any of its powers to such officers and employees.

(c) The Council shall appoint two members to the Committee.

(d) The Coordinator and up to one other staff member shall be appointed to the Committee.

(e) Other committee members shall be primarily drawn from the local community and participants of the programs. However the total membership of the Committee shall not be less than seven members nor more than fifteen members.

(f) At least half the total membership of the Committee, exclusive of the Coordinator and any other staff member appointed as a Committee member and exclusive of any Committee member appointed by the City of Unley, shall comprise persons resident at a place of residence within the area of the Council. Committee members appointed by the Council, as defined in rule no 2 herein, shall be deemed to be persons resident at a place of residence within the area of the Council.

(g) One Committee member shall be appointed Chairperson and another as Treasurer. The Coordinator shall be ex officio a member of the Committee and shall assume the responsibilities of Secretary. The position of Public Officer, as required by the Act, may be held concurrently with another position.

(h) All office bearers, exclusive of the Secretary of the Association, shall stand aside at the end of each financial year and at the next meeting of the Committee, the Committee shall elect officer bearers for the ensuing year.

(i) The Committee may appoint a natural person to fill such vacancies as may occur from time to time, other than occurring in respect of appointments made by the Council which shall be filled by resolution of the Council.

6. DISQUALIFICATION OF COMMITTEE MEMBERS

The office of Committee member shall become vacant if a Committee member is:

- (a) disqualified by the Act;
- (b) expelled under these rules;

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- (c) permanently incapacitated by ill health;
- (d) absent without apology from more than three consecutive Committee meetings, or more than three Committee meetings in a financial year;
- (e) no longer the duly appointed representative of Council.

7. PROCEEDINGS OF COMMITTEE

- (a) The Committee shall meet together for the dispatch of business at least monthly except for the month of January, when the meeting may be optional. Extra meetings can be called at the request of at least three Committee members with notification being given to all other members in advance of the meeting.
- (b) Questions arising at any meeting shall be decided by a majority of votes and in the event of equality of votes, the Chairperson shall have a casting vote in addition to a deliberative vote.
- (c) A Quorum for a meeting of the Committee shall be five Committee members, or half plus one of the total Committee members, whichever is the greater number.
- (d) The Committee shall cause minutes to be kept of all meetings and forward one copy to Council within ten days of the meeting. The minutes shall be entered into a file and be signed by the Chairperson of the meeting at which the proceedings took place, or by the Chairperson of the next succeeding meeting.

8. FINANCIAL YEAR

The financial year of the Association shall be the period beginning on 1st July each year and ending on 30th June in the following year.

9. RULES

Subject to approval by a resolution of the Committee of Association, these rules may be altered (including an alteration to name) or be rescinded and replaced by substituted rules, except for the rules which apply to the granting of licences under Power, Duties and Functions (4, a, vii) Council membership on the Committee (5,c) and the winding up and distribution of

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surplus assets (11),(12). Rules 4, a, vii, 5c,11 and 12 shall not be capable of amendment except after agreement of Council.)

Any alteration shall be registered with the Commission, as required by the Act.

The Committee shall be empowered to make such consequential or incidental bylaws as are not inconsistent with these rules.

10 ACCOUNTS

The Association shall keep such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the Association.

11 WINDING UP

The Association may be wound up in the manner provided for in the Act.

12 SURPLUS ASSETS

If after the winding up of the Association there remains “surplus assets” as defined in the Act, such surplus assets shall be appropriated in accordance with this rule.

On dissolution of the Association, the Committee shall do so much as is necessary for payment of debts of the Association and then transfer to the Council all property, books, papers and records in its control. Any other person who has in his/her possession any property of the Association shall at the request of the Committee forthwith deliver the property to the Council.