

PART 6 – MISCELLANEOUS

38. INSURANCE

- (1) DCC must effect and maintain such insurance against a liability of DCC as may be required by the Act.
- (2) In addition to the insurance required under subclause (1), DCC may effect and maintain other insurance.

39. FUNDS – SOURCE

- (1) The funds of DCC are to be derived from entrance fees and annual subscriptions of Members, donations and, subject to any resolution passed by DCC in general meeting, such other sources as the Committee determines.
- (2) All money received by DCC must be deposited as soon as practicable and without deduction to the credit of DCC's bank account.
- (3) DCC must, as soon as practicable after receiving any money, issue an appropriate receipt.

40. FUNDS – MANAGEMENT

- (1) Subject to any resolution passed by DCC in general meeting, the funds of DCC are to be used in pursuance of the objects of DCC in such manner as the Committee determines.

- (2) All cheques, electronic funds transfer and other negotiable instruments must be signed by any two authorized members of the Committee or one authorized member of the Committee and one authorized employee of DCC, being members or employees authorized in writing to do so by the Committee.

41. PAYMENT OF OFFICE BEARERS AND MEMBERS

- (1) A member of the Committee shall not be appointed to any salaried office of DCC or any office of DCC paid by fees, and no remuneration or other benefit in money or money's worth shall be given by DCC to any member of the Committee except repayment of out-of-pocket expenses.

42. VACATION OF OFFICE

- (1) Without limiting the operation of clause 19 the office of a member of the Committee shall become vacant if:
 - (a) the member holds an office of profit in DCC; or
 - (b) with respect to disclosure of interests the member fails to comply with section 31 of the Act.

43. ALTERATION OF OBJECTS AND CONSTITUTION

- (1) The statement of objects and this Constitution may be altered, rescinded or added to only by a special resolution of DCC and in accordance with Division 2 of Part 2 of the Act.
- (2) A proposed alteration of this Constitution or of the statement of objects of DCC shall be notified, in accordance with reg 16 of the Charitable Fundraising Regulation 2015 (NSW), to the Minister administering the Charitable Fundraising Act 1991, and to any other appropriate bodies (eg funding bodies) in the manner required by regulations under the relevant Acts and funding agreements.

44. COMMON SEAL

- (1) Subject to clause 45(2) the common seal of DCC must be kept in the custody of the Public Officer.
- (2) The common seal must not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal must be attested by the signatures of 2 members of the Committee.
- (3) DCC may execute a document without using a common seal if the document is signed by 2 of its authorized signatories.
- (4) DCC may execute a document as a deed if the document is expressed to be executed as a deed and is executed in accordance with subclause (2) or (3).

45. CUSTODY OF BOOKS

- (1) Except as otherwise provided by these rules, the Public Officer must keep in his or her custody or under his or her control all records, books and other documents relating to DCC.
- (2) For the purposes of clauses 44(1) and 45(1) items directed by the Public Officer to be held in secure storage at the business premises of DCC are deemed to be in the custody of the Public Officer.

46. INSPECTION OF BOOKS

- (1) The following documents must be open to inspection, free of charge, by a Member of DCC at any reasonable hour:
 - (a) public records, books and other financial documents of DCC;
 - (b) this Constitution;
 - (c) minutes of all general meetings of DCC.
- (2) Despite subclause (1), the Committee may refuse to permit a member of DCC to inspect or obtain a copy of records of DCC that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of DCC.

47. SERVICE OF NOTICES

- (1) For the purpose of this Constitution, a notice may be served on or given to a person:
 - (a) By delivering it to the person personally; or
 - (b) By sending it by pre-paid post to the address of the person; or
 - (c) By sending it by email or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of this Constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee; and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post; and
 - (c) in the case of a notice by email or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

48. WINDING UP

- (1) In the event of DCC being dissolved, any assets which remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any other organization which has similar objects and which has been endorsed by the Australian Taxation Office as a charitable institution. The charity so

nominated shall be one which fulfils the relevant requirements of the Charitable Fundraising Act 1991 (NSW).

49. NON-PROFIT STATUS

- (1) The funds and profits of DCC will not be distributed to Members of DCC but will be applied for the purposes of DCC.

50. COMPLIANCE WITH CHARITABLE FUNDRAISING ACT 1991 (NSW)

- (1) DCC shall comply with such of the provisions of the Charitable Fundraising Act 1991 (NSW) and the regulations thereunder as are applicable to it.

**APPENDIX 1
(Clause 36(2))**

**DRUMMOYNE COMMUNITY CENTRE INC (DCC)
FORM OF APPOINTMENT OF PROXY**

I,
Title First Name Surname

of.....
Street Suburb Postcode

being a Member of Drummoyne Community Centre Inc.(DCC) entitled to vote at a general meeting of DCC

hereby appoint.....
Full name of proxy

of.....
Street Suburb Postcode

being a Member of DCC, as my proxy to vote for me on my behalf at the general meeting of DCC (annual general meeting and/or special general meeting as the case may be) to be

held on theday of20.....and at any adjournment of that meeting.

- My proxy is authorized to vote in favour of/against (delete as appropriate) the resolution (insert details).
- To be inserted if desired.

.....Date.....
Signature of member appointing proxy

NOTE: A proxy vote may not be given to a person who is not a Member entitled to vote at a general meeting of DCC.

DCC LIFE MEMBERSHIP SELECTION CRITERIA

LIFE MEMBERSHIP

Life membership is a way of acknowledging exceptional people involved in DCC and a way of showing appreciation of their contribution in building community through DCC over a number of years.

SELECTION CRITERIA

The DCC Management Committee will consider the nomination for life membership in light of the following prerequisites. All selection criteria must be met.

The nominee has:

- Played a significant role within the life of DCC
- Had a high level of involvement in DCC and its work
- Had a commitment to DCC over an extended period of time
- By their everyday conduct promoted and improved the public perception of DCC
- Been a DCC member over an extended period of time and is currently a member.

If the Management Committee accepts the Nomination it will be put to the DCC members for ratification at the next annual general meeting. If at the time of that annual general meeting the number of Life Members exceeds 2% of the total DCC membership or ratification of the nomination by the Members would have that direct result the nomination must lapse.

PROCEDURE

See clause 5A in the DCC Constitution.

Please note that the Proposer and Secunder of the nomination for life membership, need to be DCC Members.