



SUSSEX NEIGHBOURHOOD HOUSE Inc.

CONSTITUTION

1. NAME:

The name of the incorporated association is SUSSEX NEIGHBOURHOOD HOUSE Inc. (in this constitution called “the house”).

2. DEFINITIONS:

1. In this Constitution – “House” means the premises
 - a) Offering activities in accordance with the aims and objectives or;
 - b) Operating as a not for profit organisation
 - c) At 235 – 237 Sussex Street, Coburg North.
 - “committee” means the Committee of Management of the house
 - “financial year” means the year ending on 30 June
 - “general meeting” means a general meeting of the members of the house
 - “member” means a financial member of the house
 - “The Act” means the Association’s Incorporation Act 1981
 - “The Regulations” means the regulation under the Act
2. In this Constitution, a reference to the Secretary of the House is a reference to:
 - a) A member who is elected to the position of a Secretary as outlined in rule no. 7.2
3. Words expressed in this Constitution shall be interpreted in accordance with the provision of the ACTS INTERPRETATION ACT 1958 and the act in force from time to time.
4. “Under-represented Groups” means specific groups or categories of people using the House, or in need of House services and programs, who are not currently accessing/inputting House decision-making processes.

3. AIMS OF THE HOUSE:

1. To encourage the local residents to become more fully involved in community life, and develop their own responses and solutions to issues and problems which affect their community.
2. To reduce the social isolation of individuals and groups within the community.
3. To facilitate and encourage the development of personal neighbourhood networks.
4. To provide resources, information and personal support to people within the community.
5. To address social inequalities and increase life opportunities for people who are disadvantaged, upholding the principals of equality, access, participation and social justice for all community, irrespective of religion, ethnicity, race, gender, age, disability and socio-economic status.
6. To initiate, organise, sponsor or encourage social, recreation and educational activities, seminars, information sessions, workshops and similar activities among all members of the community.

4. MEMBERSHIP OF THE HOUSE:

1. Any person who lives and/or works in the neighbourhood area of the house and agrees with the aims and objectives of the house will be eligible to become a member.
2. Membership fees for the calendar year shall be set at the Annual General Meeting.
3. The Secretary will keep a register of member's names and this will be kept at the house for inspection by the members of the house.
4. People will cease to be members if their membership fees are not paid.
 - i. Members will be asked not to attend house activities or be expelled if the committee is of the opinion that the member has refused or not complied with the aims and objectives of the house and its rules.
 - ii. The committee, on being notified of a member's behaviour as described in clause 4:5 (i) will meet within 14 days and after the due consideration, make a decision.
 - iii. The Secretary will notify the member in writing and
 - a) Give details of decision and reasons for same
 - b) Tell the member that he/she may, within 14 days request that the decision be revoked by :-
 - i. Requesting a meeting with the Committee or
 - ii. Making a written statement to the Committee

- iv. If the member makes a request for a decision to be revoked, the Committee shall meet and :-
 - a) Give the member an opportunity to be heard
 - b) Shall give due consideration to any written statement submitted by the member
 - c) Determine whether to confirm or to revoke the decision or take other action

- v. If the Committee decides to expel or suspend a member, the member shall have right to appeal to a general meeting. The member must, within 48 hours of receiving the Committee's decision, lodge in writing with the Secretary, his or her intention to appeal to a general Meeting. A General Meeting will be convened within 30 days of receipt of appeal.

- vi. At a General Meeting organized pursuant to clause 4:5 (v)
 - a) Only the matter of the appeal shall be heard
 - b) The Committee shall give details of the grounds and reason for decision about the member
 - c) The member shall have the opportunity to be heard
 - d) The members present shall vote by secret ballot on the question whether the decision should be confirmed or revoked
 - e) If at this general meeting:
 - i. more than 50% of the members vote in favour of the confirmation of the resolution, the resolution is confirmed and;
 - ii. in any other case, the resolution is revoked.

5. DISPUTES AND MEDIATION:

1. The grievance procedure set out in this Constitution apply to disputes under the Rules for an Incorporated Association, Associations Incorporation Act (1981) between:-
 - a) a member of the house and another member of the House;
 - or
 - b) a member of the house and Sussex Neighbourhood House Inc.

2. The parties to the dispute must meet and if possible resolve the dispute within fourteen [14] days after the dispute comes to the attention of all parties.

3. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must within ten [10] days, hold a meeting in the presence of a mediator.
4. The mediator must be:-
 - a) a person chosen by agreement between the parties in dispute.

or
 - b) In the absence of an agreement :-
 - i. in the case of a dispute between a member of the House and another member, a person appointed by Sussex Neighbourhood House Inc.

Or
 - ii. in the case of a dispute between a member and Sussex Neighbourhood House Inc., a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Dept. of Justice).
5. A member of Sussex Neighbourhood House Inc. can be a mediator.
6. The mediator cannot be a member who is party to the dispute.
7. The parties to the dispute, must in good faith, attempt to settle the dispute by mediation.
8. The mediator in conducting the mediation must:-
 - a) Give the parties to the mediation process 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 to the dispute throughout the mediation process.
9. The mediator must not determine the dispute.
10. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at law.

6. ANNUAL GENERAL MEETING:

1. This will be held within 5 months after the end of the financial year.
2. Members of the House must be given written notice at least 30 days prior the meeting.

3. The purpose of the Annual General Meeting is:-
 - a) To confirm the minutes of the previous Annual General Meeting
 - b) To receive reports from the Chairperson, Treasurer, Secretary and Manager about the activities of the House during the last year
 - c) To elect the Committee
 - d) To receive and consider the statement submitted by the House in accordance with section 30 (3) of the Act
 - e) To discuss other items relating to the aims and objectives of the House

4. The quorum and procedure at general meetings of the incorporated association is there must be at least 15 financial members present at this meeting, two of whom must be the Chairperson, Secretary, Public Officer or Treasurer other – wise the Secretary shall notify in writing, within 7 days, the alternative date and time on which the Annual General Meeting is to be held.

5. Nominations of members for Committee:-
 - a) Shall be on the appropriate form, signed by two members of the House and accompanied by the written consent of the nominee
 - b) Shall be delivered to the Secretary of the House within ½ hour of the elections
 - c) If insufficient nominations are received to fill all vacancies on the Committee, the nominees shall be deemed appointed. Unfilled vacancies shall be filled by the Committee as provided at clause 6:4.

7. COMMITTEE MEETINGS AND VOTING:

1. The Committee shall meet at least monthly where practicable but any case once every 2 months.

2. The quorum and procedure at meetings of the Committee is, there must be at least 50%+1 of Committee membership, but not less than 4 members present at a meeting before decisions can be made. Two of these people must be the Chairperson, Deputy Chairperson, Secretary or Treasurer.

3. Any member of the Committee being absent from three consecutive meetings without acceptable reasons or leave of absence granted, shall lose his/her position.

4. When vacancy arises, a new Committee member will be chosen from the members of the House at the next Committee meeting and hold that position until the next Annual General Meeting.

5. The Committee will decide on the date of the next meeting at the end of each meeting and 7 days written notice of meeting will be given to all Committee members.

6. Each Committee member present (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 motion is lost.
7. All votes will be given personally, and voting by proxy will not be permitted.
8. The Committee can co-opt not more than 2 persons to serve as members without voting rights.
9.
 - i. The Committee may establish sub-committees to work on specific activities and these sub-committees must report regularly to the Committee.
 - ii. Quorum of sub-committees may co-opt interested persons but must have at least one committee member present at that time.
 - iii. Quorum of sub-committees will be one third of its members.
10. At the discretion of the Committee, the Committee may open the meetings up to general membership at least twice a year.

8. COMMITTEE MEMBERS AND RESPONSIBILITIES:

1. The administration of the house shall be managed by a Committee of Management.
2. All members of Management Committee will be residents of the City of Moreland except council and agency representatives and members of under-represented groups.
3. The Committee will consist of up to 12 members including :-
 - a) A maximum of two Council representatives as nominated by Council.
 - b) A maximum of two representatives of agencies servicing this neighbourhood as nominated by a member at an Annual General Meeting.
 - c) A minimum of five users of the House.
4. Officers of Committee will be :-
 - Chairperson
 - Deputy Chairperson
 - Secretary / Public Officer
 - Treasurer
 - Assistant Treasurer
5. The Committee will elect office bearers at the first Committee Meeting subsequent to the Annual General Meeting.

6. Committee members shall not hold office for more than 3 consecutive years in The same Committee position but thereafter may stand for re-election in another officer position.
7. The Committee can pay any person who it employs to run activities in Accordance with the House's aims and objectives.

9. DUTIES OF OFFICE BEARERS:

CHAIRPERSON:

- a) Prepares the agenda in consultation with the Secretary.
- b) Ensures that there are enough people present to form a quorum.
- c) Acts as Chairperson of the meeting following the order of the agenda.
- d) Ensures that minutes of the previous meeting have been prepared. These minutes should then be confirmed, and if approved, signed and dated.
- e) Ensures that all motions and amendments are put in clearly understood terms and related to the business of the meeting.
- f) Prepares an annual report for the Annual General Meeting.

SECRETARY AND ASSISTANT SECRETARY:

- a) Ensures that members are notified of date, time and place of meetings at least 1 week prior to meetings.
- b) Consults with the Chairperson to ensure that an agenda is prepared.
- c) Takes notes during the meeting of all essential matters and careful notes of motions and amendments.
- d) Prepares minutes of meetings and ensures that they are entered into the minute book and are available to read at the following meeting.
- e) Ensures that all mail addressed to the Secretary is tabled at the next Committee meeting.
- f) Ensures that all urgent correspondence is brought to the immediate attention of the manager.
- g) Ensures that all correspondence is answered.
- h) Maintains a register of members.

TREASURER:

The Treasurer of the Committee shall:-

- a) In consultation with the Manager, decide and distribute between staff and Treasurer, the various financial responsibilities of the Association.
- b) Ensure that correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with activities of the Association are kept and that these books shall be available for inspection by members at reasonable notice.
- c) Present an accurate, up to date financial statement at each Committee meeting.

- d) Present an audited financial statement to each Annual General Meeting of the Association.
- e) Ensure that the auditor shall be independent of the Association and approved by funding body guidelines.
- f) All accounts, books and documents of the Incorporated Association are to be available for inspection by members.

10. SPECIAL MEETINGS:

1. Any special meeting can be called if 10 members send a letter requesting this to the Secretary of the House and giving details of the requests.
2. All members of the House will be given written notice of the Special Meeting at least 14 days before the meeting.
3. The only matter discussed at special meeting will be requested matter of the 10 members in rule 1 above.
4. The quorum and procedures at special meetings of the Committee is that there must be at least 50%+1 of Committee membership, but not less than 4 members present at meeting before decisions can be made. Two of these people must be Chairperson, Deputy Chairperson, Secretary or Treasurer.

11. FINANCIAL ARRANGEMENTS:

1. Finance shall be obtained from the membership fees, for classes and activities, donations, grants, public fundraising and other approved means in accordance with aims and objectives of the House.
2. These monies will be placed in a suitable bank account or credit union.
3. All payments must have signed authorisation by two committee members one of which must be the Chairperson, Secretary or Treasurer.
4. Books, documents and securities :-
 - Except where otherwise provided for in this Constitution, all books documents and securities of the Association shall be kept in the custody of the Treasurer or at the address of the Association.

12. ALTERATION TO THE CONSTITUTION AND STATEMENT OF AIMS:

At the Annual General Meeting, alterations, additions and amendments to the Constitution may be made only providing:-

- a) That 21 days notice has been given of the proposed addition, alteration or amendment.

- b) That is passed by special resolution of not less than 75% of the members at the Annual General Meeting.

13. WINDING UP:

In the event of the winding up or the cancellation of the Incorporation of the Association, the assets of the Association shall be disposed of :-

- a) In accordance with the provisions of the Act.
- b) In accordance with funding body guidelines and conditions of funding.
- c) And with due consultation with Council.

Any remaining property shall be distributed to organisations having similar aims and objectives.

14. LIABILITY:

- Members of the Association shall not by reason of only being members be liable to contribute towards payment of debts and liabilities of the Association or the cost, charges and expenses of the winding up of the Association.

15. INDEMNITY:

- Every member shall be indemnified out of the assets of the Association for any liability arising out of the execution of the duties of membership which is incurred in defending any proceeding whether civil or criminal, in which judgment is given in favour of the member, or in which the member is acquitted or in connection with any application under the Act in which relief is granted to the member by the court in respect of any negligence, default, breach of duty or breach of trust.

16. SEAL:

1. The Common Seal of the House shall be kept in the custody of the Secretary.
2. The Common Seal of the House shall not be affixed to any instrument except by the Authority of the Committee and the affixing of the Common Seal shall be by the signatures either of two members of the Committee or of one member of the Committee and of the Public Officer of the House.