

GCC Constitution

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PART I - PRELIMINARY

(a) The name of the association:

The Gungahlin Community Council Incorporated (hereinafter called the "Council").

(b) The objective of the Council:

To preserve and improve the social, cultural, economic and environmental well being of Gungahlin and the Gungahlin Community.

To achieve this objective the Council undertakes to:

provide a local forum in a non-political environment for Gungahlin residents & businesses can express their aspirations, concerns and suggestions;

- provide a strong local voice; address matters of local concern;
- ensure that legislators and officials are informed of community needs and expectations; foster a community identity;
- communicate issues locally and regionally;
- initiate, support or undertake any appropriate action advantageous for the community;
- continue to represent for all facilities and services expected by the community;
- seek to maintain and improve the quality of life in Gungahlin; and
- provide a deterrent against party politics impeding or overriding community wishes.

(c) Interpretations

In these rules, unless a contrary intention appears

- "financial year" means the year ending on 30 June
- "member" means a member, however described, of the Council
- "ordinary Executive Committee member" means a member of the Executive Committee; who is not an Office-Bearer of the Council, as referred to in paragraph 12(3)
- "Secretary" means the person holding office under these rules as Secretary of the Council or, where no such person holds that office, the public officer of the Council
- "the Act" means the Councils Incorporation Act 1991
- "the Regulations" means the Councils Incorporation Regulations
- "the Council" means the Gungahlin Community Council Incorporated
- "a function" includes a reference to a power, authority and/or duty
- "Gungahlin district" means the area bounded by the Federal and Barton Highways, the NSW border and the township of Hall.

(d) Powers

The Council shall be empowered, in addition to any powers given it by the Act to:

- acquire (whether by lease or purchase or any other means) premises, plant and equipment
- employ such persons as the Executive Committee deems necessary or desirable to carry out its objectives
- engage in any other act, process or venture that the Executive Committee deems necessary to carry out or promote the Council's objectives.

(e) Provision

The provisions of the Interpretation Act 1967 apply to, and in respect of these rules, in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

PART II - MEMBERSHIP

2. Eligibility for Membership

A person is eligible for membership of the Council if the person is at least 16 years of age and one of:

- (a) lives in the Gungahlin district
- (b) owns property in the Gungahlin district
- (c) works in the Gungahlin district
- (d) conducts a business in the Gungahlin district
- (e) has been duly appointed to represent a social organisation or interest group servicing the Gungahlin district.

3. Application for membership

An application for membership of the Council shall:

- (a) be made in writing
- (b) be signed by the applicant, and
- (c) be signed by a member of the Council other than a member who has resigned under Rule 6 or a member who has been suspended or expelled under Rule 9.

3A. Commencement of membership

A person who is eligible for membership of the Council in accordance with Rule 2, commences being a member of the Council the first business day after:

- (a) the person has paid the annual membership fee (if any) of the Council in accordance with Rule 7, and
- (b) the Secretary or President of the Council has received an application from the person in accordance with Rule 2.

3B. Register of Members

The Secretary shall maintain a Register of Members of the Council that includes, for each person who is a member, the following details:

- (a) the name of the person
- (b) the mailing address of the person
- (c) eligibility information about the person including date of birth and the sub-rules of Rule 2 that the person satisfies
- (d) the date the membership commenced
- (e) the date the membership ceased (if any).

4. Membership entitlements

Any right, privilege, or obligation that a person has by reason of being a member of the Council:

- (a) is not capable of being transferred or transmitted to another person; and
- (b) terminates if the person ceases to be a member of the Council.

5. Cessation of membership

A person ceases to be a member of the Council if the person:

- (a) dies
- (b) ceases to be qualified for membership
- (c) resigns from membership of the Council
- (d) is expelled from the Council in accordance with Rule 9.

6. Resignation of membership

(1) A member may resign from membership of the Council by giving notice:

- (a) in writing to the Secretary, or
- (b) at an Annual General meeting, a General meeting or a Special meeting of the Council.

(2) A notice of resignation given in writing to the Secretary takes effect upon receipt by the Secretary unless the member specifies another resignation date in the notice, such a date to be no more than 1 month from the date of receipt by the Secretary.

(3) A notice of resignation given at an Annual General meeting, a General meeting or a Special meeting of the Council takes effect at the end of the meeting unless the member specifies another resignation date in the notice, such a date to be no more than one month after the close of the meeting.

(4) A person ceases to be a member of the Council once a notice of resignation takes effect.

(5) Where a person ceases to be a member of the Council, the Secretary shall, as soon as practicable, make an appropriate entry in the Register of Members recording the date on which the person ceased to be a member.

7. Fees, subscriptions, etc.

(1) Annual membership fee of the Council is an amount, not exceeding \$10.00 per annum. The annual fee may be varied as determined by resolution of the Executive Committee.

(2) In each calendar year the annual membership fee is payable either before the Annual General meeting or before 1 September, whichever is the sooner.

8. Member's liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the Council or the costs, charges and expenses of the winding up of the Council, is limited to the amount (if any) unpaid by the member in respect of membership of the Council as required by rule 7.

9. Disciplining of Members

(1) Where the Executive Committee is of the opinion that a member has:

- (a) persistently refused or neglected to comply with a provision of these rules
- (b) acted in a disruptive and/ or aggressive manner towards Council members, or
- (c) wilfully acted in a manner prejudicial to the interests of the Council.

The Executive Committee may, by resolution:

- (i) suspend the member from such rights and privileges of membership of the Council as the Executive Committee may determine for a specified period not to exceed one year, or
 - (ii) expel the member from the Council.
- (2) Where the Executive Committee expels or suspends a Council member, the Secretary of the Council shall, without due delay, cause a notice (in writing) to be served on the member:
- (a) stating that the Executive Committee has expelled/suspended the member
 - (b) specifying the grounds for the expulsion/suspension
 - (c) informing the member that if he or she so desires, they may (within seven days of service of the notice) appeal against the expulsion/ suspension.

10. Right of appeal of disciplined member

- (1) A member who is served with a notice of expulsion or suspension, may appeal against the expulsion/suspension by requesting (in writing) the convening of a Special meeting of council, for the purpose of hearing his or her appeal against the expulsion/ suspension.
- (2) Upon receipt of a requisition under sub-rule (10)1), the Secretary shall notify the Executive Committee of the requisition. The Executive Committee shall convene a Special meeting of Council, to be held within one month after the date on which the Secretary received the requisition, or as soon as possible after that date. (Note: A Special meeting may coincide with the calling of a General or Annual General meeting of Council, but must be held separately.)
- (3) At a Special meeting convened under sub-rule 10(2):
- (a) no business other than the question of the appeal shall be transacted
 - (b) the Executive Committee and the member shall be given the opportunity to make representations in relation to the appeal, orally or in writing, or both
 - (c) the members present shall vote by secret ballot on the question of whether the expulsion/suspension made under sub-rule 9(1) should be confirmed or revoked.
- (4) If the Special meeting passes a resolution in favour of the confirmation of the expulsion/suspension made under sub-rule 9(1), that expulsion/suspension is confirmed. If the meeting fails to pass the resolution, the expulsion/ suspension is automatically withdrawn.

PART III - THE EXECUTIVE COMMITTEE

11. Powers of the Executive Committee

The Executive Committee, subject to the Act, the Regulations, these rules, and to any resolution passed by the Council, shall:

- (a) control and manage the affairs of the Council
- (b) exercise all such functions as may be exercised by the Council other than those functions that are required by these rules to be exercised by the Council in Annual, General or Special meetings
- (c) perform all such acts and do all such things as appear to the Executive Committee to be necessary or desirable for the proper management of the affairs of the Council.

12. Membership of the Executive Committee

- (1) The Executive Committee (committee) shall be elected pursuant to Rule 13 or appointed in accordance with 12(5) and shall consist of:

- (a) Office-Bearers of the Council as set out in 12(2)
- (b) no more than 6 ordinary committee members; each of whom shall be elected pursuant to rule 13 or appointed in accordance with subrule (5)

(2) The Office-Bearers of the Council shall be:

- (a) the President
- (b) the Vice President
- (c) the Treasurer
- (d) the Secretary.

(3) The Executives of the Council and their particular roles, if any, shall be as determined by the Council at an Annual General or Special Meeting.

(4) Each member of the Executive Committee shall, subject to these rules, hold office until the close of the Annual General meeting following the date of the member's election.

(5) In the event of a vacancy in the membership of the Executive Committee, the committee may appoint a member of the Council to fill the vacancy. The member so appointed shall hold office, subject to these rules, for such period as the Executive Committee may determine, not being longer than the close of the Annual General meeting following the date of the appointment.

(6) A Public Officer must be appointed as required by the Act. The Public Officer may be a member of the committee and, if not already a member of the committee, is an ex officio member of the committee. The appointment of the Public Officer is only terminated by retirement, a Resolution passed at a General Meeting or dismissal pursuant to the Act. The Public Officer must fulfil all responsibilities as prescribed in the Act.

13. Election of Executive Committee members

(1) Nominations of candidates for election as Office-Bearers or Executive members of the Council shall be made in writing and delivered to the Secretary before the commencement of the Annual General meeting at which the election is to take place.

(2) By resolution of the meeting, further nominations may be received during the Annual General meeting.

(3) A ballot for the election of each Office-Bearer and Ordinary Executive Committee member, shall be conducted at the Annual General meeting in such manner as the Executive Committee may direct, unless the majority of the members present at the meeting decide otherwise.

(4) Any vacant positions remaining on the Executive Committee shall be deemed to be vacancies.

(5) A person is only eligible to nominate to be a member of the Executive Committee if the person is a member of the Council and the person has not resigned in accordance with Rule 6.

(6) A person is not eligible to nominate to be an Office-Bearer of the Council if the person is;

- (a) an Executive Officer of a registered political party
- (b) a person employed by a registered political party
- (c) a registered candidate for a forthcoming election
- (d) an elected member of the ACT Legislative Assembly or any Parliament or a person who has been pre-selected or has nominated for a forthcoming election to any of the aforementioned bodies; or

- (e) an office bearer in a commercial or industrial lobby group registered with the Federal or ACT Government.

14. Duties of the President and Vice President

(1) The President of the Council shall:

- (a) arrange meeting venues and notifications
- (b) ensure that Council meetings are regular and orderly
- (c) prepare meeting agendas and arrange for distribution
- (d) ensure that Executive Committee functions are structured, cohesive and efficient
- (e) represent the Council at official functions, hearings, interviews and community liaison opportunities
- (f) provide direction for the Council to ensure that the Council objectives are promoted and abided by. (Note: The President may delegate responsibilities to assistants or sub-committees where this action is appropriate.)

(2) The Vice President shall support the President in his or her duties and act in that capacity when the President is absent.

15. Duties of the Secretary and Treasurer

(1) The Secretary of the Council shall be responsible for keeping records of:

- (a) all elections and appointments of Office-Bearers and Ordinary Executive Committee members
- (b) the names of members attending Annual, General or Special meetings and Executive Committee meetings
- (c) all proceedings at General meetings and Executive Committee meetings
- (d) all correspondence or documents received or sent by the Council, relating to Council business. (Note: The Secretary may delegate responsibilities to assistants or sub-committees where this action is appropriate.)

(2) The Treasurer of the Council shall be responsible for:

- (a) collecting and receiving all monies due to the Council and making all payments authorised by the Council
- (b) keeping correct accounts and books showing the financial affairs of the Council with full details of all receipts and expenditure connected with the activities of the Council
- (c) the production of annual financial statements as required by resolution or the Act. (Note: The Treasurer may delegate responsibilities to assistants or sub-committees where this action is appropriate.)

16. Executive Committee - Vacancies

For the purposes of these rules, a vacancy in the office of a member of the Executive Committee occurs if the member:

- (a) dies
- (b) resigns from office
- (c) ceases to be a member of the Council
- (d) is disqualified from office under subsection 63(1) of the Act
- (e) is removed from office pursuant to rule 9 of this constitution
- (f) becomes an insolvent under administration within the meaning of the Corporations Law, or

(g) is absent, without the consent of the Executive Committee, for four consecutive meetings.

17. Removal of Executive Committee members

The Council may, by resolution at an Annual General meeting or Special meeting, remove any member of the Executive Committee from office before the expiration of the member's term of office.

18. Executive Committee meetings and quorum

- (1) The Executive Committee shall meet at least four times in each calendar year, at such place and time in Gungahlin as the Executive Committee may determine.
- (2) Additional meetings of the Executive Committee may be convened by the President or by any four members of the Executive Committee.
- (3) Oral, written or electronic notice of a meeting of the Executive Committee shall be given by the President or Secretary to each member of the committee at least 5 days (or such other period as may be agreed upon by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Any four members of the Executive Committee constitute a quorum for the transaction of the business.
- (5) The Executive Committee shall transact no business unless a quorum is present. If within 30 minutes or such further time as those present decide (not being more than 1 hour after the time appointed for the meeting) a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week, unless the majority of the members present at the meeting agree to an alternative place, time and/or day.
- (6) If at the adjourned meeting a quorum is not present within 30 minutes or such further time as those present decide (not being more than 1 hour after the time appointed for the meeting) the meeting shall be dissolved.
- (7) At meetings of the Executive Committee:
 - (a) the President or in the absence of the President, the Vice-President shall preside; or
 - (b) if the President and the Vice-President are absent, one of the remaining members of the Executive Committee shall be chosen by the members present to preside.

19. Delegation by the Executive Committee to a sub-committee

- (1) The Executive Committee may, by instrument in writing, delegate Council functions to one or more sub-committees. Functions that can not be delegated to a sub-committee are:
 - (a) any function which is a function imposed on the Executive Committee by the Act, by any other law of the Territory, or by resolution of an Annual, General or Special meeting of Council
 - (b) any function specified in the Act that can not be delegated to a sub-committee.
- (2) A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances as may be specified in the written instrument of delegation.
- (3) Notwithstanding any delegation under this rule, the Executive Committee may also continue to exercise any function delegated to a sub-committee.

- (4) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule, has the same force and effect as it would have if it had been done or suffered by the Executive Committee.
- (5) The Executive Committee may, by instrument in writing, revoke wholly or in part, any delegation.
- (6) A sub-committee may meet and adjourn, as members of that sub-committee determine.

20. Voting at Executive Committee and sub-committee meetings

- (1) Questions or motions raised at a meeting of the Executive Committee (or any sub-committee) shall be determined by a majority of the votes of members of the Executive Committee or sub-committee, present at the meeting.
- (2) Each member present at a meeting of the Executive Committee (or any sub-committee) including the person presiding at the meeting, is entitled to one vote. In the event of an equality of votes on any question or motion, the person presiding may exercise a second or deciding vote.
- (3) A member of the Executive Committee (or any sub-committee) shall not vote on, or influence, any decision related to any contract or arrangement in which he or she has a vested interest, unless:
 - (a) details of the vested interest are made known to the committee
 - (b) the committee decides (by resolution) that no conflict of interest exists.

PART IV - MEETINGS - Annual, General and Special

21. Annual General meetings - holding of

- (1) The Council shall, at least once in each calendar year, convene an Annual General meeting of members. The Annual General meeting should be held within the period of five months after the expiration of each financial year of the Council.
- (2) Sub-rule (1) has effect subject to the powers of the Registrar of Incorporated Councils under section 120 of the Act in relation to extensions of time.

22. Annual General meetings - calling of and business at

- (1) An Annual General meeting of the Council shall (subject to the Act) be convened on such date and at such place and time in Gungahlin as the Executive Committee may determine.
- (2) In addition to any other business, which may be transacted at an Annual General meeting, the business of an Annual General meeting shall include:
 - (a) confirmation of the minutes of the preceding Annual General meeting
 - (b) receiving reports from the Executive Committee, on the activities of the Council during the preceding financial year
 - (c) to elect members of the Executive Committee, including Office-Bearers and Ordinary Executive Committee members
 - (d) receiving and consider the statement of accounts and the reports that are required to be submitted to members pursuant to subsection 73(1) of the Act.
- (3) An Annual General meeting shall be specified as such in the notice convening it, in accordance with rule 23(3).

23. General meetings - calling of

- (1) General meetings of Council shall be held at least five times in Gungahlin each calendar year, at such place and time as the Executive Committee may determine.

- (2) Additional meetings may be convened by the Executive Committee or by resolution of Council members.
- (3) Notice of a General meeting shall be provided in any manner that the Executive Committee feels is appropriate. Notice of meetings shall specify the date and time of the meeting, the venue of the meeting and the general nature of business to be transacted at the meeting.

24. Requisitioning a Special meeting of Council

- (1) The Executive Committee shall, on the requisition (in writing) of not less than nine members, convene a Special meeting of the Council. The meeting shall be convened within one month of receiving the request for a Special meeting.
- (2) Members requisitioning a Special meeting of Council shall give written notice that:
 - (a) shall state the purpose or purposes of the meeting
 - (b) shall be signed by the members making the requisition
 - (c) shall be lodged with the Council Secretary
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (3) If the Executive Committee has not called a Special meeting within one month after receipt of the requisition, any five or more of the members who made the requisition, may convene a Special meeting of Council. This meeting shall take place not later than three months after the lodging the requisition for the Special meeting.
- (4) A Special meeting convened by a member or members referred to in sub-rule 24(3) shall be convened in the same manner (or as nearly as is practicable) as meetings convened by the Executive Committee. Any member who thereby incurs expense is entitled to be reimbursed by the Council for any reasonable expense so incurred.
- (5) Where the nature of the business proposed to be dealt with at a Special meeting requires a resolution, the Secretary shall (at least 14 days before the date fixed for the holding of the Special meeting) send a notice to each Council member specifying the date, time and venue of the meeting. The nature of the resolution and the business proposed to be transacted at the meeting.
- (6) Where the nature of the business proposed to be dealt with at a Special meeting does not require a resolution, the Secretary shall (at least seven days before the date fixed for the holding of the Special meeting) send a notice to each Council member specifying the date, time and venue of the meeting, and the nature of the business proposed to be transacted at the meeting.
- (7) No business other than that specified in the notice convening a Special meeting of Council shall be transacted at the meeting, except in the case of an Annual General meeting, where business shall be transacted pursuant to sub-rule 22(2).

25. Meeting procedure and quorum (Annual, General or Special meetings)

- (1) Annual, General and Special meeting of Council are open to any member of the community, however:
 - (a) no item of business shall be transacted at a Council meeting unless a quorum of members is present during the time the meeting is considering that item
 - (b) any person (regardless of whether they are a Council member or not) can be expelled from the meeting if that person refuses to comply with a provision of these rules, or acts in a disruptive and/or unreasonable manner.

- (2) Nine members present in person (being members entitled to vote) constitute a quorum for the transaction of the business of an Annual, General and Special meeting of Council.
- (3) If within 30 minutes (or such time as those present decide - not being less than 30 minutes and not more than one hour after the time appointed for the commencement of the meeting), a quorum is not present, the meeting shall be adjourned to the same day in the following week, at the same time and at the same place. The person presiding at the meeting may, with the consent of the majority of members present at the meeting, change the date, time or venue of the adjourned meeting, provided this adjournment is no longer than one month.
- (4) If at the adjourned meeting a quorum is not present within 30 minutes (or such time as those present decide - not being less than 30 minutes and not more than one hour after the time appointed for the commencement of the meeting), the members present, being not less than five, shall constitute a quorum.

26. Presiding member

- (1) The President shall preside at each meeting of the Council.
- (2) If the President is absent from the meeting:
 - (a) the Vice-President shall preside
 - (b) if the President and the Vice-President are absent, one of the remaining members of the Executive Committee or any member of Council, shall be chosen by the members present to preside at the meeting.

27. Adjournment

- (1) The person presiding at a Council meeting, at which a quorum is present, may with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place. No business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a meeting is adjourned for 14 days or more, the Secretary shall give written or oral notice of the adjourned meeting to each member of the Council stating the date, time and venue of the meeting, and the nature of the business to be transacted at the meeting.

28. Making of decisions

- (1) A motion arising at an Annual, General or Special meeting shall be determined on a show of hands, unless before the declaration of the show of hands, a poll is demanded. On a declaration by the person presiding, that a resolution has (on a show of hands or by a poll) been carried, carried unanimously or carried by a particular majority, an entry to that effect shall be recorded. This record is evidence of the fact that the motion is carried, with or without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At a meeting of Council, a poll may be demanded by the person presiding or by five (or more) Council members present in person at the meeting.
- (3) Where a poll is demanded at a Council meeting, the poll shall be taken:
 - (a) immediately in the case of a poll which relates to the election of the person to preside at the meeting, or to the question of an adjournment, or
 - (b) in such manner and at such time (before the close of the meeting) as the person presiding directs.

29. Voting

- (1) A Council member is entitled to one vote on any motion or question brought before Council if the member:
 - (a) has been a member of the Council for more than one year, or
 - (b) has attended at least three meetings of the Council in the preceding year, including Annual General meetings, General meetings and Special Meetings.
- (2) All votes shall be given personally or by proxy, but no member may hold more than two proxies.
- (3) A member of Council shall not vote on, or influence, any decision related to any contract or arrangement in which he or she has a vested interest, unless:
 - (a) details of the vested interest are made known to the meeting
 - (b) the meeting decides (by way of resolution) that no conflict of interest exists;
- (4) In the case of an equality of votes on a question or motion at a Council meeting, the person presiding is entitled to exercise a second or deciding vote.
- (5) A member (or proxy) is not entitled to vote at any meeting of the Council unless all money due and payable by the member (or proxy) has been paid.
- (6) At the discretion of the person presiding at a General meeting, any person attending the meeting (regardless of whether they are a Council member or not) may indicate their preference on any motion or question put forward at a Council meeting. This form of "indicative voting" shall be used to be inclusive of all persons attending the meeting.
- (7) Indicative voting can be withdrawn on any question or motion of Council when:
 - (a) the person presiding at the meeting believes that indicative voting is not appropriate, or
 - (b) a motion is put forward by any Council member, and carried by a majority of members, to exclude indicative voting on a question or motion moved at a Council meeting.

30. Appointment of proxies

- (1) Each member shall be entitled to appoint another member as proxy by giving notice to the Secretary (in the form of a notice appointing a proxy) before the commencement of an Annual, General or Special meeting.
- (2) The notice appointing the proxy shall be in the form set out in Appendix 2 to these rules.

PART V - MISCELLANEOUS

31. Funds - source

- (1) The funds of the Council shall be subject to any resolution passed by an Annual, General or Special meeting of Council, and subject to the Act.
- (2) All monies received by the Council shall be deposited in an appropriate account, as soon as practicable.
- (3) The Council shall, as soon as practicable after receiving any monies, issue an appropriate receipt.

32. Funds - management

- (1) Council funds shall be used in pursuance of the objectives of the Council, in such manner as the Executive Committee or resolution of Council determines.

- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two Council members authorised to do so by the Executive Committee. At least one of the signatories must be an Office-Bearer of the Executive Committee.
- (3) The assets and income of the organisation shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

33. Alteration of objects and rules

- (1) Any objective, rule or condition contained in this constitution can be amended by resolution passed by a three-quarter majority of Council members attending an Annual, General or Special meeting of Council, provided:
 - (a) members are notified (in writing one month prior to the time of the meeting) of the proposed amendment
 - (b) written explanation for the need of the amendment is given to all members of the Council
 - (c) members are invited to debate the proposed amendment, prior to voting
 - (d) only financial members of the Council may vote to amend the constitution.
- (2) An amendment to the constitution shall not be effective until the notice has been lodged with the Register.

34. Common Seal

- (1) The Common Seal of the Council shall be kept in the custody of the Secretary or an authorised Office-Bearer of the Executive Committee.
- (2) The Common Seal shall not be affixed to any instrument except by the authority of the Executive Committee. Signatures of two members of the Council shall attest the affixing of the Common Seal, with at least one signatory being an Office-Bearer of the Executive Committee.

35. Custody of books

Subject to the Act, the Regulations and these rules, the Secretary shall be responsible for control of all records, books, and other documents relating to the Council.

36. Inspection of books

The records, books and other documents of the Council shall be open to inspection (at a place nominated by the Executive Committee) by a member of the Council, upon written request and reasonable notice (not being less than seven days after receipt of the request). Inspection of Council documents shall be available to a member free of charge.

37. Service of notices

- (1) For the purpose of these rules, a notice may be served on behalf of the Council upon any member either personally or by sending it by post or electronically to the member at the member's address shown in the Register of Members.
- (2) Where a document is sent to a person in a proper manner, the document (or e-mail) shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the document would have been delivered in the ordinary course of delivery.

38. Surplus property

- (1) At the first General meeting of the Council, the Council shall pass a special resolution nominating:
 - (a) another Council or similar organisation, for the purpose of paragraph 92(1)(a) of the Act, or
 - (b) a fund, authority or institution for the purpose of paragraph 92(1)(b) of the Act, in which it is to vest its surplus property in the event of the dissolution or winding up of the Council.
- (2) Any Council nominated under paragraph (1)(a) must fulfil the requirements specified in subsection 92(2) of the Act.
- (3) In the event of the organisation being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.