THE CONSTITUTION OF BUNDANOON COMMUNITY ASSOCIATION INC. (BCA)

Bundanoon Community Association (BCA)

Revised by Special Resolution at the General Meeting on 16 July 2026

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1 INTERPRETATION AND APPLICATION

1.1 INTERPRETATION

1.1.1 Definitions

Director General means:

(a.) the Commissioner for Fair Trading, Department of Finance and Services, or

(b.) if there is no such position in the Department, the Director General of the Department.

BCA means Bundanoon Community Association Inc. (see 1.2 Name).

Member means:

(a.) an ordinary member is not an office-bearer of BCA and has not been elected to the Committee.

(b.) an office-bearer is a member who holds the elected position of either President, Vice President, Treasurer or Secretary.

(c.) a Committee member is an ordinary member of BCA, who is elected to the BCA Committee and is not an office-bearer.

New Member means a person who joins BCA for the first time, or a past member who rejoins after being non financial for a period of more than three (3) months.

Secretary means a person holding office under this Constitution as Secretary of BCA

The Act means the Association Incorporation Act 2009.

The Regulation means the Association Incorporation Regulation 2010.

Annual General Meeting hereafter shall be known as AGM.

1.1.2 References

(a.) A reference to a function includes a reference to a power, authority and duty, and

(b.) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty, and

(c.) the provisions of the Interpretation Act 1987 apply to and in respect of other rules in the same manner as those provisions would so apply if these rules were an instrument made under *the Act*.

1.2 NAME

The formal name of the organisation shall be the Bundanoon Community Association Inc., hereinafter referred to as 'BCA'.

1.3 OBJECTS

The objects of BCA shall be:

(a.) to serve and represent the interests of Bundanoon in any manner necessary as decided at a General Meeting of BCA, and

(b.) to enhance and beautify Bundanoon, and

(c.) to foster a community spirit in the township, and

(d.) to further develop an environment that supports the well being, and contentment of the people of Bundanoon.

2 MEMBERSHIP

2.1 ELIGIBILITY

2.1.1 Membership of BCA

Membership shall be open to:

(a.) all residents of Bundanoon NSW, and

(b.) all owners of property in Bundanoon NSW, and

(c.) all owners/operators of businesses in Bundanoon NSW, and

(d.) people with a particular interest in or a connection with Bundanoon through their involvement in the community.

provided (1) they complete the membership application process and pay any and all initial and recurring fees as decided by BCA, and (2) their membership has not been suspended or cancelled.

2.1.2 New Membership

(1.) An application by a person to be a member of the association must be:

a. made in writing, and
b. in the form determined by the committee, and
c. lodged with the secretary.

(2.) The committee may determine that an application may be made or lodged by email or other electronic means.

(3.) The application is deemed pending until approved by the committee or delegate.

(4.) Once approved the new membership is active.

(5.) The details of membership are maintained in the register of membership.

(6.) The register of membership may be in the format determined by the Committee provided the format meets the conditions held in the **REGISTER OF MEMBERS.**

2.1.3 New Members

New Members are not eligible to vote, propose or second motions until four (4) weeks after completion of their membership application form and payment of their membership subscription as recorded by BCA.

2.1.4 Cessation Of Membership

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

(a.) dies, or

(b.) resigns membership, or

(c.) ceases to be a financial member, or

(d.) has this/her membership ~~is~~ cancelled by the BCA Committee.

2.1.5 Life Membership

BCA may grant, by Special Resolution, Life Membership to a member in recognition of long and outstanding service to BCA and the Bundanoon community.

2.1.6 Membership of subcommittees

Where the BCA has subcommittees, whether an organising group, an activity group, or any other group, regular members of those subcommittees must be members of the BCA.

2.2 REGISTER OF MEMBERS

2.2.1 Responsibility Of Secretary

The *Secretary* of BCA must establish and maintain a register of members of BCA specifying the name and address(es) of each person who is a member of BCA together with the date on which the person became a member. This responsibility, at the direction of the Committee, can be delegated to the membership Convener.

2.2.2 Location Of Register

The register of members must be open for inspection by members at all reasonable times, kept at the principal place of administration of BCA and must be open for inspection, free of charge, by any member of BCA at any reasonable hour.

2.2.3 Obtaining Register

The BCA Committee may withhold information about the member (other than the member's full name) from the register available for inspection.

2.2.4 Use Of Register Information

(1.) A member of BCA must not-

(a.) use information obtained from the register of members of BCA to contact, or send material to, another member of BCA.

(b.) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of BCA.

(2.) Sub-rule (1) does not apply if the use or disclosure of the information is approved by the BCA Committee in advance.

2.3 FEES

2.3.1 Joining Fees

A member of BCA must pay to BCA a joining fee, the amount of which will be determined by the Committee.

2.3.2 Annual Fees

In addition to any amount payable by the member under *Section 2.3.1 Joining Fees* above, a member of BCA shall pay to BCA an Annual Membership Fee as determined by the Committee that shall become due and payable on the 1st of July each year.

2.3.3 Taxes

Such taxes as required by law shall be levied upon fees, and shall be in addition to those amounts deemed appropriate in Sections ***2.3.1*** and ***2.3.2*** above.

2.3.4 Extension

Those new members who join BCA after the first day in April, shall be deemed to be financial members of BCA until the last day in June of the following year.

2.4 MEMBERS' LIABILITIES

The liability of a member of BCA to contribute towards the payment of the debts and liabilities of BCA or the cost, charges and expenses of the winding up of BCA is limited to the amount, if any, unpaid by the member in respect of membership of BCA as required by *Section 2.3 Membership Fees* above.

2.5 RESOLUTION OF INTERNAL DISPUTES

Disputes between members (in their capacity as members) of BCA, and disputes between members and BCA, may be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.

At least seven (7) days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

Following mediation, if the issue has not been resolved, it may be referred for Arbitration. Any costs associated will be borne equally by BCA and those involved, 50/50 if not directed otherwise by the Arbitrator.

2.6 DISCIPLINING OF MEMBERS

2.6.1 Complaints To The Committee

A written complaint may be made to the Committee regarding any person who is a member of BCA who has persistently refused or neglected to comply with a provision or provision of these rules, or has persistently and wilfully acted in a manner prejudicial to the interests of BCA.

2.6.2 Processing The Complaint

On receiving such a complaint, the Committee must:

(a.) cause notice of the complaint to be served on the member concerned;

(b.) give the member at least fourteen (14) days from the time the notice is served within which to make written submissions to the Committee in connection with the complaint;

(c.) take into consideration any written submission made by the member in connection with the complaint;

The Committee has the right to refuse to deal with a complaint it considers to be trivial or vexatious.

2.6.3 Consideration Of Complaint

The Committee may, by resolution, expel the member from BCA or suspend the member from membership of BCA if, after, considering the complaint and any submission made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proven.

2.6.4 Notification

If the Committee expels or suspends a member, the *Secretary* must, within seven (7) days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the Committee for having taken that action and of the member's right of appeal under *2.7 Right Of Appeal Of A Disciplined Member* below.

2.6.5 Effect Of Expulsion

The expulsion or suspension does not take effect:

(a.) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or

(b.) if within that period the member exercises the right of appeal, unless and until BCA confirms the resolution under *2.7.3 Meeting Procedure* below, whichever is the later.

The member's rights to vote are suspended immediately from the notification of the expulsion or the suspension and will only be reinstated at the completion of the Appeal if the Appeal is successful.

2.7 RIGHT OF APPEAL OF A DISCIPLINED MEMBER

2.7.1 Appeal Process

A member may appeal to BCA at a General Meeting against a resolution of the Committee under *Section 2.6 Disciplining Of Members* above, within seven (7) days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.

The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

2.7.2 Secretary's Responsibility

On receipt of a notice from a member under 2.6.1 Complaints To The Committee above the Secretary must notify the Committee which is to convene a General Meeting of BCA to be held within twenty-eight (28) days after the date on which the Secretary received the notice.

2.7.3 Meeting Procedure

At a meeting of BCA convened under S*ection 2.7.2 Secretary's Responsibility* above:

(a.) no business other than the question of the appeal is to be transacted, and

(b.) the Committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and

(c.) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

If at the General Meeting BCA passes a Special Resolution, the resolution is confirmed.

3 THE COMMITTEE

3.1 POWERS OF THE COMMITTEE

3.1.1 Responsibility

The Committee shall be called the Committee of BCA and, subject to *the Act*, *the Regulation*s and these rules and to any resolution passed by BCA in General Meeting:

(a.) shall control and manage the affairs of BCA;

(b.) may exercise all such functions as may be exercised by BCA other than those functions that are required by these rules to be exercised by a General Meeting of members of BCA;

(c.) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of BCA.

3.2 CONSTITUTION AND MEMBERSHIP

3.2.1 Committee Members

The Committee shall consist of:

(a.) the required four (4) office-bearers of BCA, and

(b.) between three (3) and five (5) non office-bearing Committee members, each of whom shall be elected at the AGM of BCA pursuant to 3.3 Election Of Members Of The Committee below.

3.2.2 Office Bearers

The required office-bearers of BCA shall be:

(a.) the President,

(b.) the Vice-President,

(c.) the Treasurer,

(d.) the Secretary.

3.2.3 Office Term

Those elected to office-bearer roles, shall, subject to these rules, hold office until the conclusion of the AGM following the date of the member's election, to the office-bearer position, but are eligible for election for no more than six (6) consecutive years in that position.

3.2.4 Vacancies

In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of BCA to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the AGM next following the date of the appointment.

3.3 ELECTION OF MEMBERS OF THE COMMITTEE

3.3.1 Nominations

Nominations of candidates for election as office-bearers of BCA or as non office-bearer Committee members shall be invited for the AGM at which the election is to take place providing they are members of BCA and they accept the nomination.

Nominations for all positions must be received in writing on the appropriate form (Appendix 2) no later than 5.00pm, one (1) week prior to the advised date of the AGM.

If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and any vacant positions remaining on the Committee shall be deemed to be casual vacancies.

If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

If the number of nominations received exceeds the number of vacancies to be filled, a paper ballot shall be held.

3.3.2 Elections

The ballot for the election of office-bearers and members of the Committee shall be conducted at the AGM in such usual and proper manner as the meeting may direct.

An Office-bearer once elected is not eligible for nomination of another office-bearing position at the current AGM.

3.4 THE PRESIDENT

Chairs meetings, oversees the operations of BCA in accordance with the Constitution, the Act and Regulation.

3.5 THE VICE PRESIDENT

Assists the President and assumes the duties of the President in case of absence.

3.6 THE SECRETARY

As well as the requirements of *Section 2.2.2 Responsibility of Secretary* above, it is the duty of the *Secretary* to keep records of:

(a.) all appointments of office-bearers, members of the Committee and convenors of Subcommittees;

(b.) the names of members of the Committee present at a Committee Meeting and of all members at an AGM, Special General Meeting or General Meeting;

(c.) all proceedings at AGMs, Special General Meetings and General Meetings;

(d.) all decisions at Committee Meetings and other meetings pertinent to the running of BCA.

Minutes of proceedings at Committee Meetings, AGMs, Special General Meetings or General Meetings shall be signed by the Chairperson of the next succeeding meeting.

3.7 THE TREASURER

It is the duty of the Treasurer of BCA to ensure that:

(a.) all money due to BCA is collected and the receipt is properly recorded and that all payments authorised by BCA are made,

(b.) correct books and accounts are kept showing the financial affairs of BCA including full details of all financial transactions connected with the activities of BCA.

3.8 PUBLIC OFFICER

The duties and responsibilities of Public Officer are as prescribed in *the Act*.

The Public Officer is appointed by the Committee and can be a member of the Committee.

3.9 CASUAL VACANCIES

For the purposes of these rules, a casual vacancy of the Committee occurs if the member:

(a.) dies, or

(b.) ceases to be a member of BCA, or

(c.) becomes an insolvent under administration within the meaning of the Corporations Act 2001 of the Commonwealth, or

(d.) resigns office by notice in writing given to the *Secretary*, or

(e.) is removed from office under Section 3.10 Removal Of Committee Member below, or

(f.) becomes a person whose person or estate is liable to be dealt with in any way under the law relating to mental health, or

(g.) is absent without the consent of the Committee from all meetings of the Committee held during a period of six (6) months.

3.10 REMOVAL OF COMMITTEE MEMBER

3.10.1 Procedure For Removal

BCA in a General Meeting may by resolution remove any member of the Committee from office before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed provided that at least fourteen (14) days written notice has been given to all the Committee members.

3.10.2 Notices

Where a member of the Committee to whom a proposed resolution referred to in *Section 3.10.1 Procedure For Removal* above relates makes representations in writing to the Secretary or President and requests that the representations be notified to the members of BCA, the Secretary or the President may send a copy of the representation to each member of BCA or, if they are not so sent, arrange for them to be read out at the General Meeting at which the resolution is considered.

3.11 RIGHT OF APPEAL OF A DISCIPLINED COMMITTEE MEMBER

3.11.1 Appeal Process

A member may appeal to BCA at a General Meeting against a resolution of the Committee under *Section 3.10 Removal of Committee Member* above, within seven (7) days after notice of the resolution is served on the Committee member, by lodging with the *Secretary* a notice to that effect.

The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.

3.11.2 Secretary's Responsibility

On receipt of a notice from a member under *Section 3.11.1 Appeal Process* above the *Secretary* must notify the Committee which is to convene a General Meeting of BCA to be held within twenty-one (21) days after the date on which the *Secretary* received the notice.

3.11.3 Meeting Procedure

At a meeting of BCA convened under *Section 2.7.2 Secretary's Responsibility* above:

(a.) no business other than the question of the appeal is to be transacted, and

(b.) the Committee and the Committee member must be given the opportunity to state their respective cases orally or in writing, or both, and

(c.) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

If at the General Meeting BCA passes a Special Resolution, the resolution is confirmed.

3.12 MEETING AND QUORUM

3.12.1 Meeting Occurrence

The Committee shall meet at least eight (8) times in each period of twelve (12) months at such place and time as the Committee may determine.

Additional meetings of the Committee may be convened by the President or by any member of the Committee and may be concurrent with a General Meeting.

Decisions by the Committee made at a Committee Meeting must be reported to the next General Meeting.

3.12.2 Meeting Notice

Oral or written notice of a meeting of the Committee shall be given by the *Secretary* to each member of the Committee at least forty-eight (48) hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for the holding of the meeting.

Notice of a meeting shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting, except business which the Committee members present at the meeting unanimously agree to treat as urgent business.

3.12.3 Quorum

At least 51% of members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

No business shall be transacted by the Committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to a time, date and place to be determined by the convenor of the meeting.

3.12.4 Adjourned Meetings

If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting shall be dissolved.

3.12.5 Chairing Of Meeting

At a meeting of the Committee:

(a.) the President or, in the President's absence, the Vice-President shall preside, or

(b.) if the President and the Vice-President are absent or unwilling to act such one of the remaining members of the Committee as may be chosen by the members present at the meeting shall preside.

3.13 DELEGATION BY COMMITTEE TO SUBCOMMITTEE

3.13.1 Delegation

The Committee may, by instrument in writing, delegate to one or more Subcommittees (consisting of such member or members of BCA as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than:

(a.) this power of delegation, and

(b.) a function which is duly imposed on the Committee by the *Act* or by any other law.

A function, the exercise of which has been delegated to a Subcommittee under this rule, may, while the delegation remains unrevoked, be exercised from time to time by the Subcommittee in accordance with the terms of the delegation.

A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.

Notwithstanding any delegation under this rule, the Committee itself may continue to exercise any function delegated.

Any act or thing done or suffered by a Subcommittee 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 Committee.

The Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.

A Subcommittee may meet and adjourn as it thinks proper.

3.13.2 Members under 18 years of age

This delegation excludes any subcommittee member under 18 years of age.

3.14 VOTING AND DECISIONS

3.14.1 Majority Rule

Motions arising at a meeting of the Committee or of any Subcommittee shall be determined by a majority of the votes of members of the Committee or Subcommittee present at the meeting.

3.14.2 Number Of Votes

Each member present at a meeting of the Committee or of any Subcommittee (including the person presiding at the meeting) is entitled to one (1) vote, but in the event of an equality of votes on any motion, the person presiding may exercise a second or casting vote.

3.14.3 Vacancies

Subject to *Section 3.12.3 Quorum* above, the Committee may act despite any vacancy on the Committee.

3.14.4 Effect Of Decisions

Any act done or suffered, or purporting to have been done or suffered, by the Committee or by a Subcommittee is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or Subcommittee.

3.14.5 Members under 18 years of age

A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age.

4 MEETINGS

4.1 ANNUAL GENERAL MEETING (AGM)

4.1.1 Date

The AGM shall, subject to *the Act*, be held in the month of March each year.

4.1.2 Notice

The *Secretary* shall give at least three (3) weeks' notice of the meeting to all members.

The meeting must be specified as an Annual General Meeting (AGM) in the notice.

4.1.3 Agenda

In addition to any other business which may be transacted at an AGM, the business of an AGM shall be:

(a.) to confirm the minutes of the last AGM and of any Special General Meetings held since that meeting, and

(b.) to receive from the Committee reports upon the activities of BCA during the preceding financial year, and

(c.) to elect the Committee pursuant to Section 3.2.1 Committee Members above, and

(d.) to receive and consider the financial statement which is required to be submitted to members pursuant to the *Act*, and

(e.) to elect an Auditor (or Auditors) responsible for the examination of all BCA accounts, vouchers, receipts, books etc. and the furnishing of a report to the AGM of BCA .

4.2 GENERAL MEETINGS

General Meetings shall be held on the third (3rd) Thursday of the month (February to December). Notice of all such meetings shall be given to all members in a manner deemed suitable by the Committee. The Committee may decide to not hold or to alter the time of a meeting or to alter the date of a General Meeting for a specific reason, during the months as indicated. Notice of General Meetings shall be given at the conclusion of the preceding General Meeting.

4.3 SPECIAL GENERAL MEETINGS

Special General Meetings may be called by the Committee at any time OR on a requisition signed by at least four (4) percent of the total membership OR by an ordinary motion passed at any meeting PROVIDED that seven (7) days' notice be given to all members in the manner prescribed in *4.1.2 Notice* above together with the business to be transacted. In the case of an emergency the Committee may meet immediately and act according to such an emergency; such actions and accounting to be given at the next General Meeting.

4.4 PROCEDURE – QUORUMS

4.4.1 Validity Of Meeting

No items of business shall be transacted at a General Meeting, AGM or Special General Meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

4.4.2 Quorum

Four (4) percent of current membership present in person (being members entitled under these rules to vote at a General Meeting, AGM or Special General Meeting) constitute a quorum. Constituted quorum determined by the president or residing person or can be checked by the Membership Convenor if unclear.

4.4.3 Dissolution Of Meeting

If within half an hour after the appointed time for the commencement of a General Meeting, AGM or Special General Meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to a time, date and place to be determined by those members of BCA in attendance.

4.5 PRESIDING MEMBER

4.5.1 Chairperson

The President or, in the President's absence, the Vice-President, shall preside as Chairperson at each General Meeting, AGM or Special General Meeting of BCA.

4.5.2 Election Of Substitute

If the President and the Vice-President are absent or unwilling to act, the members present shall elect one of their number to preside as Chairperson at the meeting.

4.6 ADJOURNMENT

4.6.1 Process For Adjournment

The Chairperson of a General Meeting, AGM or Special General 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, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

4.6.2 Notice Of Adjourned Meeting

Where a General Meeting, AGM or Special General Meeting is adjourned for fourteen (14) days or more, the *Secretary* shall give notice of the adjourned meeting to each member of BCA in the manner prescribed in *4.1.2 Notice* above stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

4.6.3 Exceptions

Except as provided in 4.6.2 Notice Of Adjourned Meeting above, notice of an adjourned General Meeting, AGM or Special General Meeting or of the business to be transacted at an adjourned meeting is not required to be given.

4.7 MAKING OF DECISIONS

4.7.1 Motions

A motion arising at a meeting of BCA shall be determined on a show of hands and, unless before or on the declaration of a show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect recorded in the minute book of BCA, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

4.7.2 Polling

At a meeting of BCA, a poll may be demanded by the Chairperson or by not less than three (3) members present in person or by proxy at the meeting.

4.7.3 Polling Procedure

Where a poll is demanded at a meeting, the poll shall be taken:

(a.) immediately in the case of a poll which relates to the election of the Chairperson of the meeting or to the question of an adjournment, or

(b.) in any other case, in such manner and at such time before the close of the meeting as the Chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

4.8 NOTICES OF MOTION

Notices of motion shall be handed in writing to the *Secretary* of the meeting at which the Notice of Motion is orally stated. Such motions shall be resolved either at the next General Meeting or at the discretion of the President within two (2) calendar months, provided that the volume of business at the meeting directly following the Notice of Motion precluded resolution of that motion.

4.9 SPECIAL RESOLUTION

A resolution of BCA is a Special Resolution if:

(a.) it is passed by a majority which comprises not less than three-quarters (¾) of members of BCA *attending the meeting* being entitled under these rules to do so, vote in person and to submit no more than five (5) proxies on behalf of other members at a General Meeting of which not less than twenty-one (21) days' written notice specifying the intention to propose the resolution as a Special Resolution was given in accordance with these rules.

4.10 VOTING

Upon any motion arising at a meeting of BCA a member has one (1) vote only.

All votes shall be given personally.

Proxy votes are not allowed.

In the case of an equality of votes on a motion at a meeting, the Chairperson of the meeting is entitled to exercise a second or casting vote.

Postal ballots are not allowed.

5 MISCELLANEOUS

5.1 INSURANCE

BCA shall effect and maintain appropriate insurances.

In addition to the insurance required immediately above BCA may effect and maintain other insurance.

5.2 ASSOCIATION IS NON-PROFIT

Subject to the Act and the Regulation, the BCA will apply its funds and assets solely in pursuance of the objects of the association and must not conduct its affairs so as to provide a pecuniary gain for any of its members.

5.3 FUNDS – SOURCE

5.3.1 Derivation

The funds of BCA shall be derived from sources as determined by the Committee.

5.3.2 Bank

All money received by BCA shall be deposited, as soon as practicable, to the credit of BCA's bank account/s.

5.3.3 Receipts

BCA shall, as soon as practicable after receiving any money, record the receipt of that money.

5.4 FUNDS – MANAGEMENT

5.4.1 Use Of Funds

Subject to any resolution passed by BCA at a General Meeting, AGM or Special General Meeting, the funds of BCA shall be used in pursuance of the objects of BCA in such a manner as the Committee determines.

5.4.2 Banking Procedure

The funds of BCA shall be banked in the name of BCA with any two (2) of the President, *Secretary* and Treasurer authorised to operate thereon.

The Committee may authorise special purpose bank accounts or term deposits. All accounts to be in the name Bundanoon Community Association Inc.

5.4.3 Financial Year

BCA's financial year shall end on December 31st.

5.5 ALTERATION OF OBJECTS AND RULES

These rules may be altered, rescinded or added to only by a Special Resolution at a General Meeting, AGM or Special General Meeting of BCA (but such alteration shall not have effect until notification of such alteration in the prescribed form and detail as required by Section 14 of the *Act*).

5.6 CUSTODY OF BOOKS

Except as otherwise provided by these rules, the Public Officer shall keep under his or her control, all records, books and other documents relating to BCA.

5.7 INSPECTION OF BOOKS

The records, books and other documents of BCA shall be open to inspection, free of charge, by a member of BCA at any reasonable hour.

5.8 DISSOLUTION

5.8.1 Rules Governing

BCA shall be dissolved in the event of the membership being less than three (3) persons or upon the vote of a three-quarters (¾) majority of members present at a Special General Meeting convened to consider such a question.

5.8.2 Surplus Property

In accordance with Amendments to the Association Incorporation Act 2009, in the event of the winding up or cancellation of the incorporation of BCA any surplus property or assets shall be distributed in accordance with a Special Resolution of BCA subject to the approval of the Director General.

5.9 SERVICE OF NOTICES

5.9.1 Process For Serving Notices

For the purpose of these rules, a notice may be served on or given to a person by:

(a.) delivering it to the person personally, or

(b.) sending it by pre-paid post to the address of the person, or

(c.) sending it by facsimile transmission or email only to a facsimile number and/or an email address as specified by the person on their membership form for giving or serving the notice.

5.9.2 Date Of Serving

For the purpose of these rules, 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 be delivered in the ordinary course of post, and

(c.) in the case of a notice sent by facsimile transmission or email, on the date it was sent, or if the fax machine and/or computer from which the transmission was sent produces a report or a copy of the email indicating that the notice was sent on a later date, on that date.

5.10 RULES

The rules of the Bundanoon Community Association Inc. contained herein are in accordance with the Association Incorporation Act 2009 and contain those matters specified in the Association Incorporation Act 2009.