



## **THE CONSTITUTION OF THE AUSTRALASIAN ASSEMBLY OF VOLUNTEER FIRE BRIGADE ASSOCIATIONS INCORPORATED.**

### **1 NAME**

The Association shall be known as the “Australasian Assembly of Volunteer Fire Brigades Associations Incorporated” and is hereinafter referred to as “the Assembly”.

### **2 AIMS AND FUNCTIONS**

- 2.1 The aim of the Assembly is to assist the Volunteer Fire Brigade Associations and foster the interests of Volunteer Fire fighters through the sharing of information and networking.
- 2.2 The functions of the Assembly are:
- To act as an advocate for its members on issues that are best resolved at a national level in either Australia or New Zealand or both.
  - To make comments and representations to the Australasian Fire Authorities Council, or other Agencies or Government Departments considered necessary, on issues affecting volunteer fire fighters in Australia and New Zealand.
  - To carry out any other function consistent with the aim.
- 2.3 The property and income of the Assembly shall be applied solely towards the promotion of the aims and function of the Assembly and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to the members of the Assembly, except in good faith in the promotion of those aims and functions.
- 2.4 Appoint a delegate to the Emergency Management Australia’s Volunteer Forum and work with that body on issues affecting volunteer fire fighters.

### **3. MEMBERSHIP**

- 3.1. All Volunteer Fire Brigade Associations in Australia and New Zealand, if accepted by the Board and upon the payment of any annual subscription determined in accordance with section 8 of the Constitution, shall be members of the Assembly.
- 3.2. The Secretary shall maintain a register of the financial members of the Assembly.

### **4. REPRESENTATION**

- 4.1. Each member association shall be represented at general meetings of the Assembly by no more than two voting delegates.

### **5. BOARD & OFFICE BEARERS**

- 5.1. The following Office Bearers will be elected at an Annual General Meeting:
  - President
  - Vice-President
  - Secretary
- 5.2. A Board shall be elected consisting of the President, Vice-President, Secretary and another two delegates from any member associations not already represented.
- 5.3. The Office Bearers and Board members shall be elected for a two-year term.
- 5.4. The Office Bearers and Board members will be eligible for re-election.
- 5.5. The Board may appoint an Executive Officer and shall determine the terms and conditions of employment of that officer.
- 5.6. If a vacancy occurs in the position of Secretary, the Board shall be empowered to appoint an individual in an acting capacity until confirmed by the Assembly.
- 5.7. if a vacancy exists on the Board, the remaining members of the Board shall have the power to second a delegate from the Assembly, in accordance with 5.2, to act in an interim capacity until the next election. The interim member will have full voting rights.

## **6. OBSERVERS**

- 6.1. Observers may attend General Meetings and shall make their presence known to the chairman at or before the commencement of the meeting and observers may be granted approval by the Chairman to speak, but shall have no vote.

## **7. MINUTES**

- 7.1. The Executive Officer or Secretary should attend all meetings of the Assembly, its Board meetings or any of its Committee meetings, and shall ensure that minutes are kept of those meetings.
- 7.2. Minutes of meetings shall be provided to member associations within one calendar month of any meeting.
- 7.3. Minutes shall record the business transacted and the actions determined by the meeting.

## **8. FINANCE**

- 8.1. The Assembly may set an annual subscription to be levied on members, the amount to be determined for each financial year at the Annual General Meeting.
- 8.2. The Board shall have the power to vary the amount of the subscription set in accordance with 8.1; where a request for assistance is received from an Association experiencing difficulty in meeting the full amount of the levy. Such matters to be determined on their merits.
- 8.3. The Financial Year shall be by the 1<sup>st</sup> of July to the 30<sup>th</sup> of June in the succeeding year.
- 8.4. The Board may appoint a Treasurer to assist with the finances.
- 8.5. The Assembly shall appoint an Auditor at its Annual General Meeting.
- 8.6. Either the Executive Officer, Secretary or Treasurer shall have charge of the finances and shall present an audited statement of the affairs of the Assembly to the Annual General Meeting.
- 8.7. All monies shall be banked or invested as approved by the Board in a reputable bank or financial institution.
- 8.8. The President, and either the Executive Officer, Secretary or Treasurer, and two other members of the Board shall be the cheque signatories, with at least two to sign.

**9. COMMITTEES AND REPRESENTATIVES**

- 9.1. The Assembly or the Board may constitute committees or appoint representatives at their discretion.
- 9.2. All members of committees or representatives may be reappointed.
- 9.3. All committees and representatives shall report in writing to the Board as required.

**10. MEETINGS OF THE ASSEMBLY**

- 10.1. The Annual General Meeting shall be held each year or as the Board determines but not later than the 31<sup>st</sup> day of October.
- 10.2. A Special General meeting shall be convened at any time by the Board or upon receipt by the President or the Executive Officer or Secretary of a request signed by any two member Associations.
- 10.3. At least four (4) weeks notice of all meetings of the Assembly shall be given to all member associations entitled to attend and a copy of the agenda for the meeting shall be circulated with the notice, save only that the Board or constituted committees, who shall meet pursuant to their own arrangements.

**11. QUORUM**

- 11.1. A quorum at any meeting of the Assembly, Board or its committees shall be one half of those persons entitled to vote at that meeting.

**12. VOTING**

- 12.1. Each delegate or proxy delegate, who has been nominated in writing prior to the opening of the meeting, and who is present, shall have one vote, and should there be a tied vote on any issue, the President/Chairman shall have the casting vote.
- 12.2. An Executive Office shall have no voting rights.
- 12.3. The Treasurer will not have voting rights unless appointed as a delegate.
- 12.4. Only financial members may vote.



## 17. DISSOLUTION OF THE ASSEMBLY

- 17.1. The dissolution of the Assembly shall occur only after consent of 75% majority vote of those present and eligible to vote at any annual general meeting or special meeting, if:
- The Assembly and/or the Gift Fund is wound up or dissolved.
  - The Assembly having been endorsed for taxation purposes, ceases to be endorsed for all relevant taxation purposes, including, as applicable, endorsement as a Deductible Gift recipient and/or endorsement as a Charitable Institution.
- 17.2. Any surplus assets of the Assembly remaining after the payment of all expenses and liabilities attributable to the Assembly, shall be paid or transferred to such one or more entities, funds, authorities or institutions as are Deductible Gift Recipients (including Eligible Charities), as the Assembly thinks fit and as shall be nominated by the Assembly in writing, in such proportions and such times as shall be determined by the Assembly (with the power to pay or transfer amounts or assets to any one such entity, fund, authority or institution to the exclusion of any other).
- 17.3. The provision of any law or the requirements of any relevant Government Authority restrict any distribution, payment or transfer to be made by the Assembly in the circumstances mentioned in 17.2. No distribution, payment or transfer may be made by the Assembly otherwise than in compliance with those provisions or requirements (including without limitation, any applicable requirements relating to charitable fundraising); and no distribution, payment or transfer may be made by the Assembly in the circumstances mentioned in 17.2 otherwise than in accordance with this clause.
- 17.4. Where gifts to an Eligible Charity are deductible for income tax purposes only if, amongst other things, the conditions set out in the relevant table item in Subdivision 30-B of the Income Tax Act are satisfied, a payment or transfer under this section must be made in accordance with those conditions.