



## CONSTITUTION

### NAME

1. The name of the incorporated Association shall be:

***THE NOOSA INTEGRATED CATCHMENT ASSOCIATION INC.***

(in these Rules called “**the Association**”).

### OBJECTS

2. **The objects for which the Association is established are to:**

- 1) Conserve and enhance the natural environment of the Noosa River Catchment by seeking to improve water quality, improve biodiversity, increase native vegetation, and improve land and soil conservation practice in the catchment.
- 2) Foster coordination between residents, landholders, industry, community action groups and Government agencies in their land, water and vegetation management activities.
- 3) Promote community, industry, and Government understanding of the interactions between land, water and related resources.
- 4) Promote the value of a coordinated, catchment-wide approach for managing these resources.
- 5) Identify and prioritise interrelated land and water resource issues in the catchment, identify solutions and recommend actions through public, industry, and Government participation.
- 6) Provide a forum for community, industry, and Government discussions on catchment management issues for resolving conflicting demands on natural resources.
- 7) Promote management of the Noosa River catchment based on the principles of ecologically and economically sustainable development.
- 8) Provide a referral group in relation to any proposed development referred to the Association by any private or government body.
- 9) To establish and maintain a public fund to be called 'The Noosa River Catchment Fund', for the specific purpose of supporting the environmental objects/purposes of Noosa Integrated Catchment Association. The Fund is established to receive all gifts of money or property for this purpose and any money received because of such gifts

must be credited to its bank account. The Fund must not receive any other money or property into its account and it must comply with subdivision 30-E of the Income Tax Assessment Act 1997.

## POWERS

### 3. The powers of the Association are:

- 1) To take over the funds and other assets and liabilities of the incorporated Association known as the: *Noosa Integrated Catchment Association Inc.*
- 2) To subscribe to, become a member of and cooperate with any other Association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any club, Association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under or by virtue of rule 26 (10);
- 3) In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises;
- 4) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, building, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes or, or capable of being conveniently used in connection with, any of the objects of the Association: Provided that in case the Association shall take or hold any property which may be subject to any trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts;
- 5) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;
- 6) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the purposes of the Association;
- 7) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated Association, or in the furtherance of its objects;
- 8) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interest, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement,

- maintenance, development, working, management, carrying out, alteration or control thereof;
- 9) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit;
  - 10) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;
  - 11) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated Association's property or assets present or future and to purchase, redeem or pay-off any such securities;
  - 12) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;
  - 13) In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association;
  - 14) To take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, or any part of the Association's property of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others;
  - 15) To take any gift or property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the proviso in sub-rule (4);
  - 16) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise;
  - 17) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects;
  - 18) In furtherance of the objects of the Association to amalgamate with any one or more incorporated Associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of rule 26 (10);
  - 19) In furtherance of the objects of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated Associations with which the Association is authorised to amalgamate;
  - 20) In furtherance of the objects of the Association to transfer all or any part of the property, assets, liabilities and engagements of the Association to any one or more of
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- the incorporated Associations with which the Association is authorised to amalgamate;
- 21) To make donations for patriotic, charitable or community purposes;
  - 22) To do all such things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

## CLASSES OF MEMBERSHIP AND VOTING RIGHTS

4. 1) **The membership of the Association shall consist of either of the following classes of membership:**
    - (a) **Ordinary Member** - shall be a representative of a sector who upon application has been admitted to Membership of the Association, and who is willing and available to represent their sector at general meetings of the Association.
    - (b) **Special Member** - shall be a person who in the opinion of the Association has particular skill, interest or other attributes relevant to the Association, that is not available through ordinary membership, and who is willing and available to represent their sector at general meetings of the Association.
    - (c) **General Member** – shall be any person who is interested in contributing to the objectives of the Association.
  - 2) **Ordinary Members** may have a sector endorsed proxy appointed to act on behalf of the member in the affairs of the incorporated Association. A proxy so acting in the absence of that ordinary member shall be considered to be an ordinary member for the purposes of voting.
  - 3) **Special members** may attend meetings and may speak on any issue. They do not have voting rights nor are able to be members of the Management Committee.
  - 4) **General Members** may attend meetings and speak on any issue. They do not have voting rights other than via the appropriate sector representative (Ordinary Member).
5. 1) Every person who at the date of incorporation of the Association was a member of the unincorporated Association and who on or before the day of incorporation agrees in writing to become a member of the Association shall be admitted to the same class of membership of the Association as that member held in the unincorporated Association, and shall not be required to pay any further subscription until the next due date for payment of that subscription.
  - 2) Every applicant for any class of membership of the Association [other than the members of the unincorporated Association referred to in sub-rule (1)] shall be made in writing, signed by the applicant and shall be in such form as the Association from time to time prescribes.
  - 3) Applicants for membership of the Association shall, on application, name the sector which they represent.

## **MEMBERSHIP FEES**

6. 1) The fees for membership shall be such sum as the Association shall from time to time at any general meeting so determine.
- 2) The membership fees shall be payable at such time and in such manner as the Association shall from time to time determine.

## **TERMINATION OF MEMBERSHIP**

- 7 1) A member may resign from the Association at any time by giving notice in writing to the Secretary. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date.
- 2) If a member:
  - (a) is convicted of an indictable offence; or
  - (b) fails to comply with any of the provisions of the Rules; or
  - (c) has membership fees in arrears for a period of two months or more; or
  - (d) conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Association, the Association shall consider whether his membership shall be terminated.
- 3) The member concerned shall be given a full and fair opportunity of presenting his case and if the Association resolved to terminate his membership it shall instruct the Secretary to advise the member in writing accordingly.

## **APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP**

8. 1) A person whose application for membership has been rejected or whose membership has been terminated may within one month of receiving written notification lodge with the Secretary written notice of his intention to appeal against the decision of the Association.
- 2) Upon receipt of a notification to appeal against rejection or termination of membership the Secretary shall convene, within three months of the date of receipt by him of such notice, a special general meeting to determine the appeal. At any such meeting the applicant shall be given the opportunity to fully present his case and the Association or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case. The appeal shall be determined by the vote of the members present at such meeting.
- 3) Where a person whose application is rejected, does not appeal against the decision of the Association within the time prescribed by these Rules or so appeals but the appeal is unsuccessful, the Secretary shall forthwith refund the amount of any fee paid.

## MEMBERSHIP REGISTER

9. 1) The Association shall cause a Register to be kept which shall be entered the names and residential addresses of all persons and sectors they represent, admitted to Membership of the Association and the dates of their admission.
- 2) Particulars shall also be entered into the Register of deaths, resignations, terminations and reinstatement of membership and any further particulars as the Association or the members at any general meeting may require from time to time.
- 3) The Register shall be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.

## MEMBERSHIP OF NOOSA INTEGRATED CATCHMENT ASSOCIATION

10. 1) The Association shall consist of one sector endorsed representative from each of the sectors listed in 10(2) or from any alternative sector as determined by the Association in accordance with 10(3).
- 2) SECTOR:

<b>Bushland Carers</b>	<b>Commercial River Users</b>
<b>Community &amp; Ratepayers</b>	<b>Development</b>
<b>Environment Groups</b>	<b>Farming and Cropping</b>
<b>Indigenous People</b>	<b>Horticulture</b>
<b>Landcare</b>	<b>Tourism</b>
<b>Recreational Fishing</b>	<b>Urban Industries</b>
<b>Recreational River Users</b>	<b>Cooloola Regional Council</b>
<b>River Watch</b>	<b>Department of Primary Industries</b>
<b>Education</b>	<b>Environmental Protection Agency (QPWS)</b>
<b>Seagrass Watch</b>	<b>South East QLD Catchments</b>
<b>Commercial Fishing</b>	<b>Sunshine Coast Regional Council</b>

- 3) The Association may vote to substitute alternative sectors to those listed in 10(2), or reduce the number of sectors by a 2/3 majority vote of all members without the necessity to alter this constitution, provided that any substitution or reduction shall not in the opinion of the Association, diminish community access and balanced representation to the Association.
- 4) The number of sectors shall not be more than 22.
- 5) If a sector has not been represented at meetings or activities of the Association for a period of six months, then after that time the sector shall be notified in writing that the sector shall fall vacant and a new representative will be sought.

## FUNCTIONS OF THE ASSOCIATION

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11. 1) Except as otherwise provided by these Rules and subject to resolutions of the members of the Association carried at any general meeting, the Association shall:
  - (a) have the general control and management of the administration of the affairs, property and funds of the Association; and
  - (b) have authority to interpret the meaning of these Rules and any matter relating to the Association on which these Rules are silent.
- 2) The Association may exercise the following powers:
  - (a) to borrow or raise or secure the payment of money in such manner as the members of the Association may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future, and to purchase, redeem or pay off any such securities;
  - (b) to invest in such manner as the members of the Association may from time to time determine.

## **MEETINGS OF ASSOCIATION**

12. 1) The Association shall meet at least 6 times annually to exercise its functions.
  - 2) The Secretary shall convene a special general meeting:
    - (a) on the requisition in writing signed by not less than one-third of the members of the Association, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
    - (b) when directed to do so by the Management Committee.
  - 3) At any meeting the number of members required to constitute a quorum shall be 50% plus one (1) of the sector representation as entered on the Membership Register.
  - 4) No business shall be transacted at any general meeting unless a quorum is present at the time when the meeting proceeds to business.
  - 5) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Association shall lapse. In any case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
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- 6) The President shall preside as chairman at every meeting of the Association, or if there is no President, or if at any meeting he is not present within ten minutes after the time appointed for holding the meeting, the Vice President shall be Chair of the meeting. If the Vice President is not present at the meeting then the members may choose one of their number to be Chair of the meeting.
13.
  - 1) The Association may delegate any of its powers to a sub-committee consisting of such members of the Association as it thinks fit. Any sub-committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the Association.
  - 2) A sub-committee may elect a Chair of its meetings. If no such Chair is elected, or if at any meeting the Chair is not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number to be Chair of the meeting.
  - 3) A sub-committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.
14. All acts done by any meeting of the Association or of a sub-committee or by any person acting as a member of the Association shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the Association or person acting as aforesaid, or that the members of the Association or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Association.
15. A Resolution in writing signed by a majority of all the members of the Association shall be as valid and effectual as if it has been passed at a meeting of the Association duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more members of the Association.
16.
  - 1) The Chair may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more notice of the adjourned meeting shall be given as in the case of an original meeting..

Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
  - 2) The Secretary shall convene all ordinary meetings of the Association by giving not less than 7 days notice of any such meeting to the members.



- 3) The manner by which such notice shall be given shall be determined by the Association, Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

17. Unless otherwise provided by these Rules, at every meeting:

- 1) The President shall preside as Chair, or if there is no President, or if he is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, the Vice-President shall be the Chair or if the Vice-President is not present or is unwilling to act then the members present shall elect one of their number to be Chair of the meeting;
- 2) The Chair shall maintain order and conduct the meeting in a proper and orderly manner. The Chair shall have a second or casting vote
- 3) Every question, matter or resolution shall be decided by a majority of votes of the members present, except where otherwise specified by these Rules.
- 4) Every member present shall be entitled to one vote and in the case of an equality of votes the Chair shall have a second or casting vote: Provided that no member shall be entitled to vote at any general meeting if his/her annual subscription is more than 2 months in arrears at the date of the meeting;
- 5) Voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. The Chair shall appoint two members to conduct the secret ballot in such a manner as he/she shall determine and the result of the ballot as declared by the Chair shall be deemed to be the resolution of the meeting at which the ballot was demanded;
- 6) A member may vote in person or by the appointed proxy and on a show of hands every person present who is a member or acting appointed proxy shall have one vote, and in a secret ballot every member present in person and every acting appointed proxy shall have one vote;
- 7) A Proxy shall be a sector endorsed person who shall act in place of the member for that sector in the absence of that member;

## **ANNUAL GENERAL OR GENERAL MEETINGS**

18. The first general meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the Association, and at such place as the Management Committee may determine.
  - 1) The annual general meeting shall be held within six months of the close of the financial year.

- 2) The Secretary shall convene the annual general meeting by giving not less than 14 days notice of such meeting to the members of the Association and include Financial statements /Reports
  - 3) The business to be transacted at every annual general meeting shall be:
    - (a) the receiving of the Management Committee reports and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Association for the preceding financial year;
    - (b) the receiving of the auditor's report upon the books and accounts for the preceding financial year;
    - (c) the election of members of the Management Committee, and
    - (d) the appointment of an auditor.
- 19.
- 1) The Management Committee shall consist of President, Vice President, Secretary, Treasurer, one (1) ordinary member and one special member. The special member to have voting rights on the Management Committee only.
  - 2) At the annual general meeting of the Association, all the members of the Management Committee for the time being shall retire from office, but shall be eligible upon nomination for re-election.
  - 3) The election of officers and other members of the Management Committee shall take place in the following manner:
    - (a) any two members of the Association shall be at liberty to nominate any other member to serve as an officer or other member of the Management Committee;
    - (b) the nomination, which shall be in writing and signed by the member and his proposer and seconder, shall be lodged with the Secretary at least fourteen days before the annual general meeting at which the election is to take place;
    - (c) a list of the candidates' names shall be prepared and made available for inspection prior to the meeting;
    - (d) balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the annual general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
    - (e) should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
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- 4) Any member of the Management Committee may resign from membership of the Management Committee at any time by giving notice in writing to the Secretary, and such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice when it shall take effect on that later date; or such member may be removed from office at a meeting of the Association where that member shall be given the opportunity to fully present his case. The question of removal shall be determined by the vote of the members present at such meeting.

### **VACANCIES ON THE MANAGEMENT COMMITTEE**

20. 1) The Association shall have power at any time to appoint any member of the Association to fill any casual vacancy on the Management Committee until the next annual general meeting.
- 2) The continuing members of the Management Committee may act notwithstanding any casual vacancy but if and so long as their number is reduced below 4 members, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee or of summoning a general meeting.

### **RESPONSIBILITIES, FUNCTIONS AND POWERS OF THE MANAGEMENT COMMITTEE**

21. 1) The Management Committee may only act on behalf of the Association in a manner consistent with the aims, constitution and by-laws of the Association.
- 2) The Management Committee may only act as empowered directed or requested by a majority vote of the Association. Any such Association decision shall clearly define the extent and duration of such enablement and be fully minuted.
- 3) By-laws may be created to give the Management Committee certain responsibilities functions and powers of the Association on a permanent basis.
- 4) The Management Committee may meet together and regulate its proceedings as it thinks fit: Provided that questions arising at any meeting, the Management Committee shall be decided by a majority vote and, in the case of equality of votes, the question shall be deemed to be decided in the negative.

### **RECORDING OF MINUTES**

22. The Secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every General Meeting, every Management Committee meeting and every committee meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the Secretary for that

inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes shall be verified as accurate at the next appropriate meeting and such verification shall be minuted.

## **ALTERATION OF RULES**

23. Subject to the provisions of the Associations Incorporation Act 1981. These Rules may be amended, repealed or added to from time to time by the votes of 75% (3/4) majority vote of the members who are present and entitled to vote on the resolution. However an amendment, repeal or addition is valid only if it is registered by the chief executive.

## **BY-LAWS**

24. The Association may by a 2/3 majority vote make, amend or repeal by-laws not inconsistent with these Rules for the internal management of the Association and any by-law may be set aside.

## **FUNDS AND ACCOUNTS**

26. 1) The funds of the Association shall be deposited in the name of the Association in such Bank or Permanent Building Society as the Association may from time to time direct.
- 2) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- 3) All moneys shall be deposited as soon as practicable after receipt thereof.
- 4) All amounts of one hundred dollars or over shall be paid by cheque signed by any two of the President, Secretary, Treasurer or other member authorised from time to time by the Association.
- 5) Cheques shall be crossed 'not negotiable' except those in payment of wages, allowances or petty cash recoupment which may be open.
- 6) The Association shall determine the amount of petty cash which shall be kept on the imprest system shall not be more than \$100.
- 7) All expenditure shall be approved or ratified at an Association Meeting.
- 8) As soon as practicable after the end of each financial year the Treasurer shall cause to be prepared a statement containing the particulars of:
- (a) the income and expenditure for the financial year just ended; and

- (b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.
- 9) All such statements shall be examined by the auditor who shall present his report upon such audit to the Secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.
- 10) The income and property of the Association whencesoever derived, shall be used and applied solely in promotion of its objects and in the exercise of its powers as set out therein; and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to or amongst the members of the Association providing that nothing herein contained shall prevent the payment in good faith of interest to any such member in respect of moneys advanced by him to the Association or otherwise owing by the Association to him or of remuneration to any officers or servants of the Association or to any member of the Association or other person in return for any services actually rendered to the Association provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any member of out of pocket expenses, money lent, reasonable and proper charges for goods hired by the Association or reasonable and proper rent for premises demised or let to the Association.

### **THE PUBLIC FUND (The Noosa River Catchment Fund)**

- 27. The Association must inform the Department responsible for the environment as soon as possible if:
  - It changes its name or the name of its public fund; or
  - there is any change to the membership of the management committee of the public fund; or
  - there has been any departure from the model rules for public funds located in the Guidelines to the Register of Environmental Organisations.

### **MINISTERIAL RULES RELATING TO THE PUBLIC FUND**

- 28. The Association agrees to comply with any rules that the Treasurer and the Minister with responsibility for the environment may make to ensure that gifts made to the fund are only used for its principal purpose.

### **NOT FOR PROFIT**

- 29. The income and property of the Association shall be used and applied solely in promotion of its objects and no portion shall be distributed, paid or transferred directly or indirectly

by way of dividend, bonus or by way of profit to members, directors, or trustees of the Association.

### **CONDUIT POLICY**

30. Any allocation of funds or property to other persons or organisations will be made in accordance with the established purposes of the Association and not be influenced by the preference of the donor.

### **WINDING UP**

31. In case of the winding-up of the Fund, any surplus assets are to be transferred to another fund with similar objectives that is on the Register of Environmental Organisations.

### **STATISTICAL INFORMATION**

32. Statistical information requested by the Department on donations to the Public Fund will be provided within four months of the end of the financial year.

An audited financial statement for the organisation and its public fund will be supplied with the annual statistical return. The statement will provide information on the expenditure of public fund monies and the management of public fund assets.

### **THE NOOSA RIVER CATCHMENT FUND**

33. 1. The objective of the fund is to support the Association's environmental purposes.  
2. Members of the public are to be invited to make gifts of money or property to the fund for the environmental purposes of the organisation.  
3. Money from interest on donations, income derived from donated property, and money from the realisation of such property is to be deposited into the fund.  
4. A separate bank account is to be opened to deposit money donated to the fund, including interest accruing thereon, and gifts to it are to be kept separate from other funds of the organisation.  
5. Receipts are to be issued in the name of the fund and proper accounting records and procedures are to be kept and used for the fund.  
6. The fund will be operated on a not-for-profit basis.  
7. A committee of management of no fewer than three persons will administer the fund. The committee will be appointed by the organisation. A majority of the members of the committee are required to be 'responsible persons' as defined by the Guidelines to the Register of Environmental Organisations.

8. The Fund is subject to the provisions of the Associations Incorporation Act 1981 and the resolutions of the management committee of the Association.

## **DOCUMENTS**

34. The Association shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

## **FINANCIAL YEAR**

35. The financial year of the Association shall close on June 30th in each year.

## **DISTRIBUTION OF SURPLUS ASSETS**

36. If the Association shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981-1990, and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Association, and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Association under or by virtue of rule 26(10) such institution or institutions to be determined by the members of the Association.

## **COMMON SEAL**

37. The Association shall provide for a Common Seal and for its safe custody. The Common Seal shall only be used by the authority of the Association and every instrument to which the seal is affixed shall be signed by a member of the Management Committee and shall be countersigned by the Secretary or by a second member of the Management Committee.