

Argentinian Social & Cultural Centre of NSW Inc.



RULES AND OBJETIVES ***2008***

1. OBJECTIVES

The objectives of the Argentinian Social and Cultural Centre of NSW INC. are

- (a) Assist the Argentines in New South Wales to integrate into the Australian Community.
- (b) Promote the social and cultural activities in the community.
- (c) Motivate all interested individuals, without distinctions of race, to participate in all the activities of the association with the purpose to materialize their objectives.

2. THE MEMBERS

- (a) The minimum age to become a member is eighteen (18) years old.
- (b) To obtain the membership of the association, an application must be filled in writing with the requirements of the Management Committee and must be signed by the applicant and two (2) current members.
- (c) As soon as the Executive Committee gets the application, the same has to be considered, approve or disapprove the admission of the applicant by the Executive Committee.
- (d) The Executive Committee will notify the applicant, as soon as the decision has been taken. The applicant must then pay in the next twenty eight (28) days the annual instalment decided by the management committee. Once the payment is received the Secretary will register the applicant as a member.
- (e) Members with less than three (3) months of being member cannot bear an executive post but can be part of the Management Committee.

3. THE ADMINISTRATION OF THE ASSOCIATION.

The administration of the Association will be in charge of an Executive Committee formed by four (4) official directors and seven (7) vocals. None of the members of the executive committee will get any salary or compensation in money with the exemption of the reimbursement of expenses that have been approved by the Committee.

4. THE OFFICIAL DIRECTORS

The official directors will be: President, Vice-President, Secretary and Treasurer. The minimum members of the Management Committee will be three officials, President, Secretary and Treasurer. The official directors and other members of the executive committee will be elected for one year in the Annual General Meeting (AGM). Any vacancy that may occur, could be filled by the Executive Committee. The person assigned will be in the position until the new committee is voted.

5. THE MANAGEMENT COMMITTEE - RIGHTS AND OBLIGATIONS

The Management Committee will have the faculties to:

- (a) Direct and administer the association. Obey the rules and make them be respected.
- (b) Rent premises, receive donations and pay the expenses relative of their functions.
- (c) Make sure that all the money and surplus of the association be used to reach the objectives and in no way to be distributed between the members, direct or indirectly.
- (d) Deal with official and private enterprises; make the necessary agreements to reach the objectives of the association.
- (e) Print and publish in newspapers, books, fliers, or other type of print, with the aim to promote the activities.
- (f) Order meetings to make decisions, defer them, determine or regulate the meetings in order to meet the best resolutions for the association. The President or the Secretary, can at every moment, by the plea of two of any members of the Executive Committee, call a meeting of the Committee.
- (g) Resolve problems in any meeting of the Committee by simple vote of the presents. Any resolve in this form will be regarded as a decision of the Committee. In the case of a draw the person who presides the meeting, will have a second vote.
- (h) Appoint a member of the Association to fill a vacancy in the Management Committee. Increase the number of members of the Committee, call a General Election if the Committee is reduced to less than the numbers established in the statutes, three (3), as a necessary quorum.
- (i) Appoint sub-committees / coopted / auxiliaries and stipulate internal rules always within the objectives of this constitution.

6. VACANCIES IN THE COMMITTEE.

The post of every member of the Committee or proxy will be pronounced vacant in:

- (a) In case of member's death
- (b) If the same is considered in bankruptcy or in any deal with a creditor
- (c) If he/she gets mentally ill, or in relation with any person with problems with the patrimony based in a legal legislation.
- (d) If he/she resigns in his post with a written notification or if he/she is an absentee for more of three (3) months without authorization.
- (e) If he/she resigns being a member of the association.
- (f) If a resolution is passed during a General Meeting (called in accordance) by a simple majority (half of the presents plus one) to obtain the resignation of his or her position.

7. ANNUAL GENERAL MEETINGS (AGM)

- (a) The Annual General Meeting for the members will be held in the month of October each year, when the annual report and financial statement will be presented to members
- (b) The AGM will be called with two weeks prior to the meeting by the Secretary through publicity in the media and by letters including date, place, agenda and financial reports.
- (c) If the AGM is not called during the month of October for justified reasons, it has to be held in the 6 (six) months after the end of the financial year and informing it to the government authorities by the Public Officer.
- (d) A new Management Committee will also be elected. Every member can be re- elected for a period of one (1) year.
- (e) Any active member of the Association may be nominated to be part of the Management Committee. The nomination may be individually or by a list. Every nominated candidate, individually or by list, must be sponsored by two other members. In case the nomination is done in writing , it should be lodged seven (7) days prior to the election and accompanied by the signature of two (2) other members of the Association.
- (f) Every list must have a minimum of five (5) members and may be presented in writing to the Secretariat no less than seven (7) days prior the election, or at the day of the meeting, to be voted. Each candidate nominated individually may also be nominated in only one list.

8. ESPECIAL GENERAL MEETINGS

The Especial General Meetings could be called for informative reasons and also resoluteness one.

- (a) The simple majority of the members of the Management Committee can call an Especial General Meeting at any time.
- (b) The Especial General Meeting can also be called in writing by a twenty (20) per cent of the active members & must be held in a period of one (1) month from the date it was lodged.
- (c) If the Management Committee doesn't take action after the expired month, the members who called for the meeting have the right to call it themselves, and all the expenses incurred must be paid by the Association.
- (d) An Especial General Meeting must be called with two (2) weeks of anticipation by the Secretariat through the media and by letters including date, place and the agenda.

9 THE QUORUM.

In the AGM and Especial General Meetings the quorum needed are twenty (20) per cent of the active [financial] members and three (3) members of the Management Committee.

If after thirty (30) minutes from the original time and if the quorum was not formed, the meeting will be postponed for fourteen (14) days at the place and date to be confirmed. In this case if the quorum is still not present a quorum will be considered with the members present at this time (minimum are three (3) attendants)

10 PROCEDURES AT GENERAL MEETINGS

- (a) The President will preside every meeting, in case he is not present or is not willing to do so, the Management Committee will elect one of his members, by simple majority of votes, to preside it.
- (b) Every resolution must be approved by simple majority by fifty (50) per cent plus one of the presents in the AGM or Especial Meetings.
- (c) In any general meeting every resolution to be taken by votes must be decided by simple hands up, and only in secret written vote, if it is required by the meeting. The result of the votes will be considered as a resolution and stated in minutes.
- (d) In the case the votes are even, the person who presides the meeting has the right of a second vote [casting vote].

11. SPECIAL RESOLUTIONS

A Special Resolution is a resolution proposed / initiated by the association.

- (a) Every Special Resolution must be approved by a majority of seventy five (75) per cent of the presents in a meeting called for that purpose.
- (b) The notification specifying the proposed resolutions must be posted in writing at least twenty five (25) days in advance by the media available and letters to members.

12. THE ADMINISTRATION FUNDS.

- (a) All the money received by the association has to be deposited by the treasury at the earliest, to be credited into the bank account of the association.
A receipt for this money must be completed at the earliest possible time.
- (b) All the payments that exceed fifty (50) dollars must be payed by cheque and signed by two (2) persons, between the President, Secretary or Treasurer.
- (c) The Management Committee will produce receipts for any payment received by the association.
- (d) The bank account opened to serve the objectives of the association will be signed by the three members authorised to do so: President, Secretary and Treasurer.
- (e) All the commercial transactions that demands payments must be authorised by the Management Committee.

13. FROM THE PUBLIC OFFICER.

The Public Officer must be a resident of NSW. and have a minimum age of eighteen (18) years. The Public Officer can be elected by an Assembly or by the Management Committee and it is not a requirement to be member of the committee or the association. If the Public Officer resigns or is destitute, the position cannot be vacant for more than fourteen (14) days.

The responsibilities of the Public Officer are:

- (a) Inform changes in membership of the Management Committee and sign and send the annual finance report to the required government authorities, in the specified term.
- (b) Keeping a register of all the personal data of members of the association, but maintaining their privacy.
- (c) In case a Management Committee doesn't allow a call from the members, to hold an Especial Meeting, the Public Officer will make the list of active the members to the requestor to proceed with their notifications.

14. AUDITS FROM THE FISCAL COMMITTEE.

- (a) The AGM will appoint three (3) members to act as auditors to examine all the accounts, payments and receipts. They will prepare a statement to the Public Officer. And, with the Public Officer, they will notify the financial state of the Association to the members (during the next AGM)
- (b) The audits must be completed no more than twelve (12) times a year and not less than six (6) times a year.
- (c) If no nominations are taken place from the assembly, the Management Committee will elect 3 [three] members from the floor.
- (d) In case that any of the internal auditors resigns, the other 2 [two] must notify the Management Committee within the next fourteen (14) days that they will be able to nominate another person to fill the vacancy with the consent of all the other members. The Management Committee has 7 [seven] to respond if it accepts or deny the nomination..

15. THE MINUTES

The Management Committee will indicate to the Secretary to keep minutes for:

- (a) All the designations of executive members and other committee members.
- (b) The members of the executive committee presents at the meetings of the Association and the Committees.
- (c) All the procedures and resolutions adopted in all the General Meetings.

The minutes must be signed by the President of the meetings and the Secretary in the next meeting.

16. RIGHTS AND OBLIGATIONS OF THE MEMBERS.

- (a) Every member has the right to see the minutes and finance books. Any active member can ask for them by a written application to the Secretary with fourteen (14) days in advance.
- (b) The member has the obligation to help and cooperate at every activities of the association within his/her possibilities/skills.
- (c) The member has to pay his membership during the first sixty (60) days from the first of September each year. If the membership is not payed during this time, he/she has to re apply.

17. RULES OF CONDUCT OF THE MEMBERS.

- (a) A member can be disciplined if in the opinion of the Management Committee, he/she does not comply with the rules all the time, and acted against the interests of the association. The penalties could be suspension, fine or expulsion.

The rights and obligations of the Management Committee in this case are:

- (a) The Secretary of the Association has to inform to the disciplined member, in writing, the motives and sanctions in the first seven (7) days after a resolution is taken during a committee meeting. The resolution will be effective immediately until an appeal is requested
- (b) The member has the right to appeal personally or by writing to the Secretary fourteen (14) days after the notification is received
- (c) While the Management Committee considers the appeal and a resolution is taken, the sanctions will not be effective.
- (d) Once an appeal is presented, the Management Committee will set a date for the member to present his defence personally thirty days (30) from the date of receiving the appeal. The committee reserves its rights to accept or refuse it.
- (e) After this, the Management Committee must communicate in writing its final decision seven (7) days after the meeting with the member..

18. DISSOLUTION OF THE ASSOCIATION [WIND DOWN]

- (a) The association will be wind down in the case that the members are less than three (3) persons or by an especial resolution taken by the vote of the majority of seventy five (75) per cent of the members present in an Especial General Meeting called to this effect.
- (b) If the association is dissolved, all the actives and funds available will be transferred (after the payments of all pending obligations) to a public charity that the Assembly indicates.

19. THE MODIFICATION OF THIS CONSTITUTION.

These Rules and Objectives could be modified by the majority of seventy five (75) per cent of the presents in a General Meeting, after all the modifications have been previously made in an Especial Meeting called at this effect .The changes will not take effect until they are notified and are approved by the government authorities.