

**CONSTITUTION OF THE PORT MACQUARIE AND DISTRICT
EISTEDDFOD SOCIETY INCORPORATED**
Updated @ AGM 15/3/2021

1. NAME

The name of the Organisation shall be the Port Macquarie and District Eisteddfod Society Incorporated

2. OBJECTS

The objects of the Organisation are set out hereunder:

A, To conduct Eisteddfods and activities in related fields in the Port Macquarie district

B, To encourage and facilitate training of musical (both vocal and instrumental), elocutionary and dancing ability in the Port Macquarie District

C, To encourage and develop the performing arts in the Port Macquarie District and surrounding areas

D, To collect and accept subscriptions and donations of real and personal property and to apply such moneys and properties, together with any profit accruing, for the furtherance of the objects of the Society.

E, To invest any moneys of the Society, not immediately required in any security authorised by law for the investment of Trust funds.

F, To co-operate with organisations in adjoining towns in the conduct of Eisteddfods.

3. MEMBERSHIP

A, application for membership shall be made in writing, signed by the applicant and shall be in such form or contain such requirements as the Management Committee from time to time prescribes

B, As soon as practicable after the receipt of an application for membership, the Management Committee who shall thereupon determine upon the admission or rejection of the applicant shall consider it. In no case shall the Committee be required to give any reason for the rejection of an applicant

C, A register of members shall be kept showing in respect of each member his name, address, and the date of membership application

D, The annual subscription shall such as much as may be fixed from time to time by the Management Committee

E, Any applicant paying the relevant membership fee but failing to complete and return the application for membership form for registration by the Public Officer, shall be deemed to be unfinancial until such time as the relevant form is lodged, thus nullifying his or her voting rights.

4. MANAGEMENT COMMITTEE

The Management of the organization shall be vested in a Management Committee consisting of the following:

President : Ray Wilson

Vice Presidents (optional) :Wendy Stewart

Secretary :Angela Wilson

Treasurer Judy Teadwell

Publicity Officer: Karen Tompson

Dance Director : Wendy Stewart

Dance Secretary : Cherie Jones

Music Director and Music Secretary :NA

Speech and Drama Director and Speech and Drama Secretary

One other member

No member of the Management Committee shall be appointed to any salaried office of the Organisation or any office of the Organisation paid by fees and no remuneration or other benefit in moneys or moneys worth shall be given by the organization to any member of the Management Committee except repayment of out-of-pocket expenses, interest at a rate not exceeding interest at the rate for the time being charged by Bankers in Sydney for money lent to the organization and reasonable and proper rent for premises let to the Organisation.

5. OFFICE BEARERS

The Office –bearers shall consist of the following:

Patrons

Vice patrons

President

Two Vice Presidents (optional)

Secretary

Treasurer

Publicity Officer

Dance Director

Dance Secretary

Music director

Music secretary

Speech and Drama Director

Speech and Drama Secretary

and such other officers and /or Committees or sub-committees as shall be decided by the Members of the organization at the annual General Meeting. The President shall be an ex-officio member of each committee and sub-committee. The office- bearers and the other members of the Management Committee shall be elected annually at the Annual General Meeting. Any casual vacancy occurring among the office bearers may be filled by the Committee and the person so appointed to fill such vacancy shall hold office for the unexpired term of the member replaced.

6. PROCEEDINGS OF THE MANAGEMENT COMMITTEE

A, The Management Committee may meet together for the despatch of business, adjourn and otherwise appoint and regulate its meetings as it thinks fit. The President may at any time and the Secretary on the requisition of any one member of the Committee summon a meeting of the Committee .

B, Questions arising at any meeting of the Committee shall be decided by a majority of the votes of those present and a determination by a majority of the members of the Committee present shall for all purposes be a determination of the Committee. In case of an equality of votes the Chairman of the meeting shall have a second or casting vote.

C, The Management Committee shall have the power to appoint Committees and /or Sub-committees and shall have the power to co-opt members for such Committees and/or sub-Committees from members other than those on the Management Committee

D, The continuing members of the Committee may act notwithstanding any vacancy in the Committee; but if and so long as their number is reduced below the number fixed by or pursuant to those Rules as necessary quorum, the continuing member or members may act for the purposes of increasing the number of members of the Committee from amongst the members, which they are hereby empowered to do, of summoning a general meeting of the organization, but for no other purpose

E, Any extra-ordinary matters arising from any of the sub-committees and their Eisteddfods , eg, changes to any syllabus rules, complaints from the public or any other problem deemed to be out of the ordinary, shall automatically be tabled at the next General Meeting of the Committee.

F, Before rules are endorsed, all correspondence should be tabled at General Meetings (other than entries for the various Eisteddfods and Adjudicators correspondence)

7. VACATION OF OFFICE

The office of a member of the Management Committee or of a trustee shall become vacant:-

A, upon his decease

B, If he becomes bankrupt or makes any arrangement of composition with his creditors generally

C, If he becomes mentally ill or a person whose person or estate is liable to be dealt with, in any way under the law relating to mental health

D, If he resigns his office by notice in writing to the organisation.

E, If he is absent for more than two meetings without leave of the Committee from meetings of the Committee held during that period

F, If he ceases to be a member of the organization

G, Upon a resolution being passed by a two-thirds majority of members present at a properly constituted general meeting specially called for the purpose to remove him from office.

H, If he holds any office of profit under the organization

I, If without leave of the Committee he is directly or indirectly interested in any contract or proposed contract with the organisation.

8. FINANCIAL YEAR

The financial year shall end on the 31st December

9. ANNUAL GENERAL MEETING

The annual general meeting of members shall be held no later than the first Tuesday in February in each year, when the Annual Report and audited financial statement shall be presented.

10. SPECIAL GENERAL MEETING

Any two members of the Management Committee may at any time convene a Special General Meeting of the organization. Special General Meetings shall also be convened by the Secretary upon the written request of not less than five (5) members of the organization and shall be held within a period of one month from the date of receipt of the request.

11. QUORUM

At meetings of members a quorum shall consist of five (5) members and at a Management Committee meeting shall consist of three (3) members. Should within half an hour of the time set down for a meeting to commence, a quorum be not present, then the meetings shall be adjourned to the same time and place seven (7) days alter or to a place and time within one month of the date of such meeting, to be determined thereat. If at those members attending shall not be deemed to be a quorum, provided, the number of such meetings is not less than three (3).

12. PROCEEDINGS AT GENERAL MEETINGS

A, The President shall preside as Chairman at every general Meeting of the organisation, but if he is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act than one if the vice presidents shall preside but if one of them is not present within fifteen minutes after the time appointed to hold a meeting or is unwilling to act then the members shall elect one of their number to be chairman of the meeting, a simple majority sufficing.

B, the Chairman 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 (30) 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 of the business to be transacted at an adjourned meeting.

C, at any general meeting a resolution put to the vote of a meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded by the Chairman or by at least three (3) members present. Unless a poll is so demanded a declaration by the chairman that a resolution has on a show of hands been carried or carried unanimously, or by a particular majority, or lost, and an entry to that effect in the book containing the minutes of the proceedings of the organization shall each be conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the resolution. The demand for a poll may be withdrawn.

D, If a poll is duly demanded it shall be taken in such manner and either at once or after an interval or adjournment or otherwise as the Chairman directs and the result of the poll shall be the resolution of the meeting at which the poll was demanded but a poll demanded on the election of a Chairman or on a question of adjournment shall be taken forthwith.

E, In the case of an equality of votes, whether on a show of hands or on a poll, the chairman of the meeting at which the show of hands takes place or at which a poll is demanded shall be entitled to a second or casting vote.

F, Each member present and voting as a general meeting of the organisation shall have one vote.

G, A person shall not be entitled to vote at any meeting of the organization including annual general meetings unless moneys, including annual subscriptions, presently payable by him to the organization have been paid to the Treasurer.

13. NOTICE OF MEETINGS

The Secretary shall give at least seven (7) days notice in writing of all general meetings and thirty(30) days notice in writing of the Annual General meeting To the members of the organization specifying the place, the day and the hour of the meeting and the general nature of the business to be dealt with at the meeting.

14. FUNDS

A, all moneys received by the organization shall be deposited intact at the earliest possible date to the credit of the organization bank account. Receipts for moneys received shall also be issued promptly.

B, All payments in excess of Ten dollars (\$10.00) made by the organization shall be paid by cheque signed by any two of the President, Secretary and Treasurer.

15. AUTHORIZATION OF ACCOUNTS

All accounts shall be presented to and passed for payment at a Management Committee and full details of all such approvals be entered in the Minute book.

16 .AUDIT

a, The auditor or auditors shall be elected at the Annual general meeting. They shall examine all accounts, vouchers, receipts, book, etc., and furnish a report thereon to the members at the Annual Meetings. Audits shall be conducted at regular intervals of not more than twelve (12) months.

B, An auditor shall not be a member or closely related to a member of the Management Committee.

C, Subject to paragraph (D) hereof notice of the intention to nominate an auditor to replace the current auditor shall be given to the secretary at least twenty-one (21) days before the Annual General Meeting. The Secretary shall send a copy of the nomination to the current auditor at least seven days before the annual General meeting . The current auditor shall be entitled to attend the Annual general Meeting and if he so wishes to be heard a such Annual General meeting.

D, Where the current auditor submits his resignation or notifies the Secretary of his intention not to seek re-election as auditor, paragraph © hereof shall not apply.

17 .MINUTES

The Management Committee shall cause minutes to be made:

- A, Of all appointments of office-bearers and members of the committee
 - B, Of all the names of members of the Committee present at all meetings of the organization of the Committee
 - C, Of all proceedings at all meetings of the Organisation and of the Committee.
- Such minutes shall be signed by the Chairman of the meeting at which the proceedings were held or by the Chairman at the next succeeding meeting.

18. EXPULSION OF MEMBERS

A member may be expelled from membership of the Organisation by the Management Committee, if in the opinion of such Committee, after affording such member an opportunity of offering the Committee an explanation of his conduct either verbally or in writing as the Committee may decide, the conduct of the member is such as to be detrimental to the best interests of the Organisation, provided that:

- a. Such expulsion shall not be effective unless it is confirmed by a majority of members present at a Special General Meeting of members convened to consider the expulsion.
- b. Such Special General Meeting is held within a period of one month from the date of the decision of the Management Committee to expel the member:
- c. At such Special General Meeting the member whose expulsion is under consideration shall be allowed to offer an explanation of his conduct verbally or in writing at the option of such member:
- d. The voting at such Special General Meeting shall be by a ballot if not less than five members present thereat shall be on demand:
- e. It shall be in the power of the Committee to exclude such member from participation in the affairs of the Organisation until such Special General Meeting shall be held.

19. TRUSTEES:

A, One trustee shall be elected at a properly constituted general meeting.

B, All property of whatever kind belonging to the Organisation shall be vested in the Trustee and they shall have the custody of all deeds and documents of title relating to the property of the Organisation and shall be responsible for same and shall deal with and dispose of all property of the Organisation whether real or personal for the time being vested in them and the income thereof in accordance with the directions of the Management Committee provided that such directions are not in violation of the trust upon which the property is held.

20. DISSOLUTION:

A, The Organisation shall be dissolved in the event of membership less than seven (7) persons or upon the vote of a three-fourths majority of members present at a special General meeting convened to consider such question.

B, Upon a resolution being passed in accordance with paragraph a) of this rule, all assets and funds of the Organisation on hand shall, after the payment of all expenses and liabilities, be handed over to such registered or exempted charity or charities as a simple majority of the members at the Special General Meeting so convened, or at a subsequent Special General Meeting, may decide.

21, AMENDMENT OF RULES:

These rules may be amended by a resolution passed by a two-thirds majority of members present at any Annual General meeting at which notice of the proposed amendment shall have been given or at a Special General Meeting convened for such purposes. Provided that the Minister of the Crown for the time being administering the Charitable Collections Act, 1934, as amended, shall be notified of the amendment and such amendment shall not be effective unless the Minister has signified his approval to such amendment being made.

22. A notice may be given either personally or by sending it by post to him at his address registered with the Organisation or if he has no registered address to the place of abode of the member last known to the Management Committee. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, prepaying and posting a letter or an envelope containing the notice and to have been effected, in the case of the notice of a meeting, on the day after the date of its posting and in any other case the time at which the letter would be delivered in the ordinary course of post.

31 December 1992