

THE CONSTITUTION

OF

**THE NATIONAL ABORIGINAL
AND TORRES STRAIT
ISLANDER POSTGRADUATE
ASSOCIATION
(NATSIPA)**

UPDATED OCTOBER 2019

**INCORPORATED UNDER NSW
ASSOCIATIONS INCORPORATION
ACT 2009**

Contents

1. NAME	3
2. INTERPRETATION	3
3. OBJECTIVES	3
4. POWERS	4
5. MEMBERSHIP	4
6 PORTFOLIO OFFICERS	7
7 PUBLIC OFFICER	9
8 THE EXECUTIVE	9
9 DISCLOSURE OF INTEREST	11
10 RECORDS	11
11 MEETINGS	11
12 FINANCE	13
13 FUNDRAISING & SPONSORSHIPS	14
14 ALTERATION OF RULES	15
15 DISPUTE RESOLUTION	15
16 DISSOLUTION	16
17 MISCELLANEOUS RULES	16

1. NAME

The name of the Association shall be the "National Aboriginal and Torres Strait Islander Postgraduate Association (NATSIPA)".

2. INTERPRETATION

In these Rules the following terms shall have the meaning assigned to them:

(a) Aboriginal	Is of Aboriginal descent
(b) Torres Strait Islander	is of Torres Strait Islander descent
(c) Act	<i>NSW Associations Incorporations Act 2009</i>
(d) CAPA	The Council of Australian Postgraduate Associations Incorporated
(e) Executive	The executive of the association
(f) Indigenous	Refers only to Indigenous peoples of Australia being of Aboriginal and/or Torres Strait Islander descent
(g) Postgraduate Student	An Aboriginal and/ or Torres Strait Islander person currently undertaking a Postgraduate course of study at tertiary institution.
(h) Public Officer	means the person appointed by the Executive to be the Public Officer as defined by the Act.

3. OBJECTIVES

The Association shall be an incorporated Association under the Act and shall have the following objectives:

- (a) To provide a network for Aboriginal and Torres Strait Islander Students;
- (b) To act as advocate for and to represent the interests of Aboriginal and Torres Strait Islander students at a National level;
- (c) To promote reconciliation between non-Indigenous and Aboriginal and Torres Strait Islander peoples of Australia;
- (d) To promote research into Aboriginal and Torres Strait Islander issues and the training of Aboriginal and Torres Strait Islander researchers;
- (e) To educate postgraduate researchers on appropriate protocols when dealing with issues of cultural and social significance to Aboriginal and Torres Strait Islander peoples;
- (f) To liaise with universities, governments, and other national associations with a view promoting these objectives; and

(g) To promote the participation by Aboriginal and Torres Strait Islander peoples as equals in a national community of postgraduate scholarship.

4. POWERS

The Association shall subject to the provision of the Act, have the power to do all such lawful things as may seem to the Executive necessary to carry out the objects of the Association.

5. MEMBERSHIP

5.1. Categories of Membership

5.1.1. There four (5) categories of membership. Membership is open to:

- Category 1: Adult Aboriginal and/or Torres Strait Islander Postgraduate students;
- Category 2: Aboriginal and/or Torres Strait Islanders Elders;
- Category 3: Alumni members (past members of NATSIPA and all its predecessors);
- Category 4: Friends of NATSIPA (non-Aboriginal and Torres Strait Islander persons); and
- Category 5: Postgraduate student associations (fees apply)

The NATSIPA ethical sponsorship policy allows for Universities and other organizations to sponsor the organisation.

5.2. Membership fees will be set by the executive and may be different for each category of membership

5.3. Membership shall commence upon entry of the member's name in the membership register and will continue to be a member until such time as their membership ceases or they are ineligible to be a member.

5.4. The members of the Association shall be those Aboriginal and Torres Strait Islander persons who qualify for membership, apply to the Executive for admission and accepted for membership.

5.5. Past Presidents shall enjoy lifetime membership of the organisation

5.6. How to become a member

- A person fills in a membership application form (according to the category of membership);
- A person is eligible under rule 5.1.1;
- The Executive committee members agree; and
- The person's name and date they became a member is recorded on the register of members.

5.7. The Executive committee members may refuse to accept a membership application. If they do, they must notify the applicant in writing of the decision and the reasons for it.

5.8. Members Rights

5.8.1. Category 1: ***Aboriginal and/or Torres Strait Islander Postgraduate Students:***

- can attend, speak and vote at general meetings;
- can be made a Portfolio Leader & member of the executive;

- can put forward resolutions at general meetings;
- can ask the Executive members to call a general meeting; and
- can look at the accounts and records of the association (if the Executive Committee members have authorized them to do this, or if the members have passed a resolution which lets them do this).

5.8.2 Category 2: ***Aboriginal and/or Torres Strait Islanders Elders***

- can attend, speak and vote at general meetings;
- can put forward resolutions at general meetings;
- can ask in, collaboration with Aboriginal and Torres Strait Islander Postgraduate student members, the Executive members to call a general meeting; and
- can look at the accounts and records of the association (if the Executive Committee members have authorized them to do this, or if the members have passed a resolution which lets them do this).

5.8.3 Category 3: ***Aboriginal and/or Torres Strait Islanders Alumni (Past members):***

- can attend, speak and vote at general meetings;
- can put forward resolutions at general meetings;
- can ask in, collaboration with Aboriginal and Torres Strait Islander Postgraduate student members, the Executive members to call a general meeting; and
- can look at the accounts and records of the association (if the Executive Committee members have authorized them to do this, or if the members have passed a resolution which lets them do this).

5.8.4 Category 4: ***Friends of NATSIPA (non-Aboriginal and Torres Strait Islander persons):***

- can attend, and speak at general meetings but have no voting rights, and can speak when asked;
- can be made a special advisor to the Executive committee members;
- can put forward resolutions at general meetings in collaboration with Aboriginal and Torres Strait Islander members
- seek advice on all matters relating to Aboriginal and Torres Strait Islander Postgraduate Students

5.8.5 Category 5: ***Postgraduate Student Associations:***

- can attend, and speak at general meetings but have no voting rights, and can speak when asked;
- can put forward resolutions at general meetings in collaboration with Aboriginal and Torres Strait Islander members
- seek advice on all matters relating to Aboriginal and Torres Strait Islander Postgraduate Students

5.9. Members Responsibilities

Members must:

- follow these rules;
- let the association know if they change their address
- let the association know if they cease to qualify in a member category;
- treat other members with respect; and
- not bring the organisation into disrepute.

5.10. If a member fails in any of their responsibilities, they can be removed as a member.

5.11. Liability of Members

- Members of the association shall not be liable to contribute towards the payment of the debts and a liability of the Association of the association is wound up.

5.12. Cease Membership

A person stops being a member if:

- they resign in writing;
- they die;
- they do not qualify under the membership categories; or
- their membership is cancelled.

5.13. Members may resign at any time in writing to the Secretary. Persons who have resigned, or been expelled following disciplinary action, may only be readmitted to membership by unanimous resolution of the Executive committee.

5.14. Canceling Membership

If a member:

- can't be contacted for two years; or
- is not an Aboriginal or Torres Strait Islander person; or
- No longer qualifies as a member under the membership categories outlined in 5.1.1
- Has persistently neglected or refused to comply with these Rules or any resolutions of the Executive; or
- Has willfully acted in a manner prejudicial to the interests of the Association.
- Brings the organisation into disrepute (as determined by the executive)
- The Executive Committee members must then send that person a copy of the special resolution at their last known address, as soon as possible after it has been passed.

5.15. If a person is not eligible for membership for some other reason, the Executive Committee members can cancel their membership by passing a resolution at an Executive Committee members meeting. Before the meeting, Executive Committee members need to give the member 14 days' notice in writing of the pending cancellation.

5.16. **Disciplinary action** may be taken at the initiative of the Executive or on receipt of a complaint made in writing against a member of the Association.

5.16.1 The Executive shall investigate the alleged impropriety and satisfy itself to the facts before making a determination as to the action to be taken. The Executive shall allow for a twenty-one (21) days notification period, prior to the meeting in which expulsion is to be considered. During which time the member has the opportunity to present submissions to the Executive, either in writing or in person. The Executive shall conduct its deliberations in camera.

5.16.2 Written advice of the decision of the Executive and its reasons must be provided to the member and, in relevant cases, expulsion or suspension from membership does not take effect until seven (7) days after such notice is given.

5.17. **A member who has been expelled** may appeal to the General Meeting. The decision of the Executive may only be reversed by a resolution carried by 51% votes at a general meeting.

5.18. **Internal disputes** not involving matters of discipline shall be considered by the Executive who shall make a determination as to the dispute. Where the Executive is unable to resolve the dispute, the Registrar may be requested to arbitrate by any of the parties involved.

5.19. **Register of Members**

5.19.1. The electronic Membership register shall be kept and stored on the NATSIPA dropbox and will include:

- (a) the name and address of every member of the Association,
- (b) the date on which each member joined the Association,
- (c) the date on which a member ceased to be a member of the Association, and
- (d) the type of membership they hold.

5.19.2. A copy must be kept at the association's document access address, if not the same as the Official address.

5.19.3. The member register must be available at the annual general meeting (AGM).

6 PORTFOLIO OFFICERS

6.1 All Category 1 members of NATSIPA can be Portfolio officers

6.2 **Portfolio Officers**

- (a) the President – National / International / CAPA portfolios
- (b) the Vice-President – Social Justice / Equity
- (c) the NATSIPA Appointee to the CAPA Board – Governance;
- (d) the General Secretary – Administration, Finance and Funding;
- (e) the Men's Officer;
- (f) the Women's Officer;
- (g) the QUEER Officer; and
- (h) the Media Officer

6.3 **Eligibility of Portfolio Officers**

A Portfolio Officer must be:

- at least 18 years old; and
- a postgraduate member of the association
- be individuals who are Aboriginal or Torres Strait Islander postgraduate persons;
- usually reside in Australia;
- members of the association; and
- not be employees of the association.

If a portfolio officer ceases to be a postgraduate member during their term of office, they can continue in the role at the discretion of the executive. If the executive deems this is not in the best interest of the organisation, the portfolio officer will be asked to resign. If no resignation is forthcoming, the executive reserves the right to remove them from office by a majority vote.

6.4 ***How to become a Portfolio Officer***

- Portfolio Officers are voted on annually at the Annual General Meeting,
- Portfolio Officers are appointed at the annual general meeting for a term of one year commencing 1st January.
- Portfolio Officers are eligible for re-election as long as they are eligible to be a member and enjoy the confidence of the membership.
- If a portfolio becomes vacant, then a bi-election will be held to fill the position

6.5 ***How to stop being a Portfolio Officer***

- A Portfolio Officer dies;
- A Portfolio Officer resigns, in writing;
- A Portfolio Officer's appointment expires;
- A Portfolio Officer is removed by the Executive Committee in accordance with this constitution

6.6 ***Portfolio Officers' duties*** are as outlined in the appended Policy and Procedure documents and include the following:

- A duty of care ad diligence;
- a duty of good faith;
- a duty to disclose a conflict of interest (material personal interest);
- a duty not to improperly use position or information;
- a duty to not trade while insolvent.
- a duty to not bring NATSIPA into ill repute

6.7 ***Conflict of interest*** (material personal interest)

6.7.1 Portfolio Officer who has a material personal interest in an association matter must tell the Executive Committee members. This notice must give details of what the interest is and how it relates to the association. The executive will determine if the nominated 'Conflict of Interest' has merit. The notice must be given at an Executive Committee members' meeting as soon as possible, and it must be recorded in the minutes of the meeting.

6.7.2 If there is a perceived conflict of interest the Portfolio Officer who has a material personal interest / conflict of interest must not:

- be present at the Executive Committee members' meeting while the matter in question is being considered;
- vote on the matter in question

6.8 ***Payment***

6.8.2 At the discretion of the executive, Portfolio Officers can receive a stipend

6.8.3 The stipend paid will be determined by the AGM

6.8.4 Portfolio officers cannot be employees of the association

6.8.5 Portfolio officers can be contractors of the association (as long as they have exercised any duty to disclose a conflict of interest).

6.9 ***Subcommittees***

The executive may at any time appoint a Sub-Committee from the NATSIPA membership, which will include the portfolio member responsible for the Sub-Committee and shall determine the responsibilities and powers of the Sub-Committee.

Unless otherwise decided by the Executive, a Sub-Committee shall:

- a) have a quorum of three (3) at its meetings, unless the Sub-Committee resolves that a larger number shall be the quorum;
- b) appoint one of its members to be responsible for calling meetings of the Sub-Committee and inform the Executive of the name of the responsible person; and
- c) keep proper minutes of the proceedings of all meetings of the Sub-Committee

The responsible portfolio Member shall forward a copy of the minutes of each meeting of the Sub-Committee to the Executive as soon as practicable after each meeting. The Executive empowers and encourages Sub-Committees to make recommendations or proposals for the consideration of the Executive and at general meetings, as appropriate under these rules.

7 PUBLIC OFFICER

7.1 The **Public Officer** of the Association must be a resident of New South Wales. The executive shall, within three (3) weeks after the incorporation of the association, appoint this person to be Public Officer of the Association in accordance with s56 of the Act. Where for any reason there is a change of Public Officer, the Executive shall, within (3) weeks after the appointment of the new Public Officer, notify to the NSW Office of Fair Trading by lodging the appropriate form. The Public officer is responsible to run elections and bi-elections. The Public office must declare a conflict of interest if they are running for any position and a temporary public officer will be appointed if the executive deems it necessary.

8 THE EXECUTIVE

8.1. **The Executive shall constitute the Executive Committee** and attend to the day-to-day management of the organization within the meaning of the Act and consist of the following compulsory positions:

- a) the President
- b) the Vice-President
- c) the NATSIPA Appointee to the CAPA Board
- d) the General Secretary;
- e) the Men's Officer;
- f) the Women's Officer;
- g) the QUEER Officer; and
- h) the Media Officer
- i) past presidents as determined by the executive

8.2. **Executive members may hold more than one position**

8.2.1. An executive member can hold more than one position.

8.2.2. no member holds more than three (3) positions.

8.2.3. All executive members must be currently enrolled postgraduate students (except in the event that a person graduates midterm in which case they can continue in the role at the discretion of the executive).

- 8.3. A person is ***ineligible to stand for election*** to the Executive or shall cease to be a member of the Executive if the person:
- (a) is convicted of an offence against a Commonwealth, State or Territory Law and sentenced to imprisonment for three (3) months or longer (except where the person has been granted an exemption from the Registrar or Minister);
 - (b) is bankrupt or insolvent under administration; or
 - (c) is incapable of holding office due to a civil penalty disqualification.
- 8.4 The President or, in the ***absence of the President*** the Vice-President or in the absence of the Vice-President another member of the Executive appointed for that purpose shall chair meetings of the Executive.
- 8.5 ***Questions before the Executive*** shall be determined by simple majority of those present and voting. Proxies shall not be permitted. Each Executive member shall have one deliberative vote, regardless of the number of positions held on the Executive. In the event of a tie, the motion under consideration shall be declared lost.
- 8.6 The executive must meet at a set time and date each month negotiated with executive members;
- a) Meetings may be face- to-face, via video/teleconference, or any other electronic/ internet means acceptable to the members.
 - b) Executive members must attend each meeting, if they cannot attend then they should put in an apology. **Executive members who are absent for 3 meetings will be stood down from the executive.**
- 8.7 ***Quorum for meetings of the Executive*** shall be three (3) members. The Executive may act despite any vacancy in its membership.
- 8.8 ***The management and control of the Association*** is vested in the Executive and shall be performed in accordance with the rules and the Act.
- 8.9 The President or any two (2) members of the executive may ***call meetings of the Executive*** on seven (7) days' notice. The Secretary shall maintain minutes for Executive meetings and shall make such minutes available to members on request (excepting confidential items).
- 8.10 Each person who is on the Executive Committee:
Has a duty to act in that position with honesty, diligence, reasonable care and with cultural respect;
- (a) Shall not make improper use of information or opportunities received through that position
 - (b) Shall not bring the organisation into ill repute; and
 - (c) Duties of the Executive positions are as outlined in the Policy Book.
- 8.11 The President shall be appointed as the NATSIPA Appointee to the National Representative Council of CAPA.
- 8.12 The members of the Executive shall constitute the Association's delegates to Council meetings of CAPA.

9 DISCLOSURE OF INTEREST

- 9.1 Any person on the committee must disclose any interest in a contract or arrangement, or proposed contract or arrangement with the Association at a meeting of the committee and a record of such disclosure shall be made in the minutes of that meeting. A person on the Committee who has disclosed an interest may not vote on the committee on any motion relating to the contract or proposed contract or arrangement.

10 RECORDS

The association must keep the:

- minutes of meetings (in writing or as an audio or video recording);
- Constitution (constitution);
- register of members and former members;
- names and addresses of Executive Committee members, Portfolio officers and the contact person; and
- Financial records.

They must be kept at the association's document access address.

11 MEETINGS

- 11.1 The first Annual General Meeting shall be held within 18 months after incorporation. Subsequent Annual General Meetings will be held at the association's annual conference.
- 11.2 There shall be an Annual General Meeting of the Association and such Special General Meetings as determined by the Executive or required by petition. Any general meeting other than the first General Meeting and the Annual General Meeting shall be called a Special General Meeting. The place, date and hour of every General Meeting shall be determined by the Executive.
- 11.3 At General Meetings, any member shall be entitled to appoint another member as proxy by notice given to the Secretary at least 24 hours before the meeting in respect of which the proxy is appointed (but no member shall hold more than 3 proxies).
- 11.4 Reports by members of the Executive, and the Committee's Report and Examiners' Report, shall be available for inspection by members not less than seven (7) days before the commencement of the Annual General Meeting.
- 11.5 **AGM**
- 11.5.1 There shall be an Annual General Meeting of the Association and such Special General Meetings as determined by the Executive or required by petition. Any general meeting other than the first General Meeting and the Annual General Meeting shall be called a Special General Meeting. The Executive shall determine the date, hour and venue/place of every General Meeting.
- 11.5.2 **AGM Timing**

At the association's annual conference, if a conference is not held, the AGM must be within 10 months of the end of the associations financial year.

11.5.3 AGM Business

The AGM Business shall comprise:

- confirming the minutes of the previous general meeting;
- presenting reports: general, financial, and Portfolio
- electing Executive Committee members;
- electing Portfolio Officers
- checking the register of members;
- make changes to the associations constitution; and
- asking questions about how the association is managed.

11.6 General Meetings

- An Executive Committee member can call a general meeting.
- Members can ask Executive Committee members to call a general meeting there MUST be a majority of eligible Aboriginal and Torres Strait Islander members calling for the meeting and a majority of these members MUST be eligible Postgraduates.
- The Executive Committee members must call the general meeting within 21 days.

11.7 General Meetings / Special General Meeting

11.8 Meeting Business

The General Meeting Business shall comprise:

- confirming the minutes of the previous general meeting; and
- everything in the agenda of the meeting.

11.9 Notice for General / Special Meetings

- At least 21 days' notice must be given.
- Notice must be given to members, Executive Committee members, Portfolio Officers, the contact person and the auditor, if the association has one.

The notice must set out:

- the place, date and time for the meeting;
- the business of the meeting;
- if a special resolution is being proposed, and what it is; and
- if a member can appoint a proxy.

Notices can be given to members personally (or in a manner which accords with Aboriginal or Torres Strait Islander custom), sent to their address, sent by fax, or sent by email.

11.10 Member's Resolutions

11.10.1 Members can propose a notice of a resolution and then give it to the association.

11.10.2 The notice must set out the resolution in writing and must be signed by the members proposing it.

11.10.3 The association must give notice of the resolution to all people entitled to it.

11.10.4 The association must consider the resolution at the next meeting that is being held at least 28 days after the notice has been sent out.

11.11 Quorum at general meetings

11.11.1 The Quorum for general meeting shall be: -

<i>Number of members in association</i>	<i>Number of members to make a quorum</i>
2 to 10 members	= 2 members
11 to 20 members	= 4 members
21 to 50 members	= 6 members
51 members or more	= 10% of members

11.11.2 The quorum must be present during the whole meeting. If there is no quorum after one hour, the meeting is adjourned until the next week at the same time. If there is still no quorum, the meeting is cancelled.

12 FINANCE

- The associations financial year runs from 1 January to 31 December
- All money of the association must be deposited into the association's bank account.
- The association must give receipts for all money it receives.
- At least two Executive Committee members one of which must be the Treasurer or nominee must sign all cheques, withdrawal forms and other banking documents.
- At least 4 office bearers should be signatories on the organisations bank account
- All accounts must be approved for payment at an Executive Committee members' meeting.

12.1 The Treasurer shall cause to be kept proper financial accounts dealing with finances and property of the Association. The Treasurer shall table, at each meeting of the Executive, a statement of receipts and payments since the previous meeting. The financial records shall be made available for inspection by members on request.

12.2 The committee must ensure the financial statements for the association, and any trust for which the association acts as a trustee, are prepared as soon as possible after the end of the association's financial year, for submission to the annual general meeting (AGM).

The financial statements must include:

- (a) an income and expenditure statement that sets out appropriately classified individual sources of income and individual expenses incurred in the operation of the association
- (b) a balance sheet at the end of the financial year, that sets out current and non-current assets and liabilities
- (c) a separate income and expenditure statement and balance sheet for each trust for which the association is the trustee, and
- (d) details of any mortgages, charges and other securities affecting any property owned by the association.

12.3 Audit

An association's reporting obligations under the *Associations Incorporations Act 2009* (the Act) is based on its status as either a Tier 1 (large) or Tier 2 (small) association.

Tier 1 associations are those whose total revenue as recorded in the income and expenditure statement (i.e. gross receipts) for a financial year is more than \$250,000 (excluding GST) **or** current assets* are more than \$500,000.

As a Tier 1 association, NATSIPA is not required under legislation to audit its financial records.

12.4 The Executive shall submit to the Registrar a copy of the Committee's Report within one month of the AGM as required by legislation.

12.5 At each Annual General Meeting the Treasurer or nominee shall present the Committee's Report and Examiner's Report relating to the previous financial year.

12.6 All disbursements of the Association other than payments from petty cash shall be in the form of cheques, electronic bank transfer, or credit card. The Treasurer or nominee and one other member of the Executive shall sign all cheques and other financial instruments. No member shall incur any expenditure on behalf of the Association without approval of the executive.

12.7 Subject to any resolution passed by the Association in general meeting, the funds of the association are to be used in pursuance of the objectives of the association in such manner as the Executive determines.

12.8 Where funding for the Association's activities has been provided by an outside funding agency or other organisation, any terms or conditions in respect of that funding shall be treated as binding on the Association and the Executive.

12.9 Application of funds

Subject to any resolution passed at a general meeting, Executive Committee members can use the money and property of the association to carry out its business. They cannot give the money and property to members of the association.

Note: This rule does not stop the association from making reasonable payment:

- a) to a member in their capacity as an employee; or
- b) to a member under a contract for goods or services provided.

13 FUNDRAISING & SPONSORSHIPS

NATSIPA is committed to ensuring that fundraising activities are carried out in an ethical manner. This policy applies to the Executive Committee, casual, permanent and contract staff and volunteers. NATSIPA's position on fundraising practice and the standards expected in raising funds from the community are identified in the Policy Book.

Fund Raising

NATSIPA is committed to effective management and monitoring of the association's funds. For funding independent of CAPA resourcing, NATSIPA:

- develops an annual budget for the organisation which is approved by the Executive;
- monitors income and expenditure against the budget on a regular basis;
- ensures regular reporting to the Executive on the budget position;
- takes action when there is a significant variation between projected and actual figures; and
- reviews and adjusts the budget when necessary.

For CAPA resource funding, NATSIPA provides CAPA with a profit and loss outlining what their funding has been used for.

Sponsors

The following are the fundamental principles that shape our relationships with sponsors:

- 1) Sponsorship of NATSIPA or of any symposium, project, program or event will not entitle any sponsor to influence any decision of NATSIPA.
- 2) NATSIPA will not enter into any alliance or partnership with any association or organisation where the association with the prospective partner or acceptance of the sponsorship would jeopardize the financial, legal or moral integrity of NATSIPA or adversely impact upon the NATSIPA's standing and reputation in the community. All tobacco and alcohol sponsorships are prohibited.
- 3) NATSIPA will accept sponsorships as an additional source of revenue generation provided that all sponsorship alliances are developed and maintained within the regulations embodied in this sponsorship policy.
- 4) All sponsorship alliances or partnerships must be consistent with existing NATSIPA policies.
- 5) Executive committee approval of all sponsorship alliances must be obtained.
- 6) The terms and conditions of all sponsorship alliances must be clearly documented and include a clear exit strategy.

14 ALTERATION OF RULES

14.1 These rules shall only be altered by a resolution carried at a quorate general meeting, where at least twenty-one (21) days' notice has been provided of the intention to move the motion to alter the Rules. The proposed alterations must be specified in the notice of the general meeting.

14.2 The Secretary or nominee shall maintain these Rules, incorporating any amendments, and copies shall be available to members on request. On admission to membership new members shall be provided with a copy of the Rules.

14.3 The interpretation of the Rules shall rest with the Executive. Any dispute as to the interpretation of the Rules shall be dealt with as an internal dispute in accordance with section 14.

14.4 When alterations to the Rules have been carried by a General Meeting the Public Officer shall file such alterations with the Registrar within six (6) weeks of the carriage of the resolution. The alteration shall take place once notification is received from the registrar.

15 DISPUTE RESOLUTION

- If a dispute arises, the parties must first try to resolve it themselves.
- If the dispute is not resolved within 10 business days, any party may give a dispute notice to the other parties.
- The dispute notice must be in writing and must say what the dispute is about. It must be given to the association.
- The Executive Committee members or any of the dispute parties may ask the Registrar for assistance.
- The Executive Committee members must help the parties resolve the dispute within 20 business days after the association receives the notice.
- If the Executive Committee members cannot resolve the dispute, it must be put to the members to resolve at a general meeting.

16 DISSOLUTION

The winding up of the association shall be in accordance with the Act.

- 16.1 The Association may only be dissolved by a resolution of a general meeting carried by 75% of those present and voting, where at least twenty-one (21) days' notice has been provided of the intention to move the motion to dissolve the Association.
- 16.2 Resolution to distribute surplus assets Subject to rule 17.1, 17.3, and 17.4, where:
- 16.2.1 the association is wound up
- 16.2.2 after all debts and liabilities have been taken care of, and costs of winding up have been paid, surplus assets of the association exist, the members may pass a special resolution relating to the distribution of the surplus assets of the association.
- 16.3 Upon dissolution of the Association, any surplus shall be transferred to CAPA to hold in trust and be applied exclusively for the benefit of Indigenous postgraduate students.
- 16.4 The distribution of surplus assets must not be made to any member or to any person to be held on trust for any member.

17 MISCELLANEOUS RULES

- 17.1 The common seal of the Association must be kept in the custody of the Public Officer or nominee. The common seal must not be affixed to any instrument except by the authority of the Executive and the signatures of two (2) members of the Executive, one being the President/s or nominee, must attest the affixing of the common seal.
- 17.2 The Treasurer or nominee shall maintain and keep in his or her custody the chequebook, internet banking codes, credit card (except the President/s credit card if such has been issued) and all financial records of the Association. The Secretary or nominee must keep in his or her custody or under his or her control all other records, books and other documents relating to the Association.
- 17.3 The records, books and other documents of the association must be open to inspection by any member of the association on reasonable request.

- 17.4 The Association may give a notice to any member personally, by sending it by post to the member's registered address, or in a manner that concurs with Aboriginal and/or Torres Strait Islander custom/s. A notice of the meeting, including the purpose of the meeting, shall be given to the members at least seven days prior to the date of the meeting, by any means the Executive considers appropriate.
- 17.5 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 containing the notice and unless the contrary is proved to have been effected at the time at which the letter would be delivered in the ordinary course of post. If the notice is sent via email, service of the notice shall be deemed to be effected by properly addressing, and sending an email containing the notice and unless the contrary is proved to have been effected at the time at which an email would normally be delivered (24 hours).
- 17.6 If a member has no registered address in the designated area and has not supplied to the Association an address, a notice advertised in a newspaper circulating in the neighbourhood of the registered office of the Association shall be deemed to be a notice duly given to them on the date on which the advertisement appears.