

THE CONSTITUTION OF THE  
WENTWORTHVILLE TAMIL STUDY CENTRE

WTSC

NSW Australia

According to the Association Incorporation Act, 1984  
- Regulation 1985, Clause 10.

HEREBY CERTIFY pursuant to the Section that this transparency is made as a permanent record of a document in its custody or control.

NOTICE: DELETED

in purpose of Section 339B of the Evidence (Reproduction) Act, 1967

an approved person

Commissioner

Under delegation from the

9/3/95

31071

PLM-HUBER

The CORPORATE AFFAIRS COMMISSION being a person declared by the Attorney General by notification published in the Government Gazette on the 28th day of September 1979 to be an approved person for the purposes of section three of the Evidence (Reproductions) Act, 1967 HEREBY CERTIFIES pursuant to the Statute that this transcript is made as a permanent record of a document in its custody or control.

*John F. ...*

19395 / 31071

FILE NUMBER

**PREAMBLE:**

Where an Association styled and known as "Tamil Study Centre - Wentworthville" was established at Wentworthville (NSW) in the year 1989 for the purpose of promoting the Tamil Language and Culture to the Tamil Community, to further the interests of the cultural values, and for the purpose of effectually carrying out and transacting all matters connected with the said Centre according to the rules and regulation agreed to by its members.

And whereas the constitution of the said Centre had been drafted and adapted in 1991/92 and where as it was felt desirable and expedient to revise the constitution for the purpose of more effectually promoting the aims and objectives of the said Centre and transacting all its business.

Wherefore the said, constitution has been revised, amended and approved at the special general meeting of the said Centre held at the Darcy Road Public School Library on February 11, 1995 as hereunder setout:

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I, an approved person, as purposes of Section 117(1) of the Evidence (Reproductions) Act, 1967  
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PART I PRELIMINARY

1 INTERPRETATION

1.(1) In these rules, except in so far as the context or subject matter otherwise indicates or requires "ordinary member" means a member of the Executive Committee who is not an office bearer of the Centre, as referred to in rule 13(2);

"Secretary" means the person holding office under these rules as secretary of the Centre;

"Special General Meeting" means a general meeting of the Centre other than annual general meeting;

"the Act" means the Associations Incorporation Act 1984;

"the Regulation" means the Associations Incorporation Regulation, 1985;

"the Centre or the School" means the Wentworthville Tamil Study Centre;

"the Federation" means the Federation of NSW Tamil Schools (Inc);

"the Committee" means the Executive Committee of the Wentworthville Tamil Study Centre;

1.(2) In these rules:

(a) a reference to a function includes a reference to a power, authority and duty; and

(b) a reference to the exercise of a function includes where the function is a duty, a reference to the performance of the duty.

1.(3) The provisions of the Interpretation Act, 1987, apply to and in respect of these rules in the same manner as these provisions would so apply as these rules were an instrument made under the Act.

1.(4) If this constitution of this incorporated centre do not make provision in relation to any matter the provisions of the model rules for the Incorporation of Associations, NSW shall in relation to that matter, be deemed to be included in the rules of the incorporated Centre.

1.(5) Such provisions shall not be contrary to the aims and objectives of the Centre or contradict the constitution.

2. NAME, LOCATION AND ADDRESS

2.(1) The name of the school shall be called Wentworthville Tamil Study Centre, (if incorporated, Wentworthville Tamil Study Centre (Inc))

2.(2) Location shall be: Darcy Road Public School, Darcy Road, Wentworthville NSW 2145.

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2.(3) Mailing Address of the Centre shall be c/o Darcy Road Public School, Darcy Road, Wentworthville NSW 2145.

3. AIMS AND OBJECTIVES

3.(1) Make children to learn Tamil Language.

3.(2) Inculcate the Tamil culture and cultural values on these children.

In order to achieve these objectives the Centre will:

- (a) Conduct classes in Tamil Language,
- (b) Conduct social, sporting, and cultural events,
- (c) Function as a non-political, non-religious and non-profit making organisation,
- (d) Co-operate with and assist other similar organisations which promotes Tamil culture and multiculturalism.

PART II MEMBERSHIP

4. MEMBERSHIP QUALIFICATIONS

- 4.(1) All parents and guardians of children currently attending the school shall be members of the Centre.
- 4.(2) Father and mother or Guardian of a child shall be considered to be independent members and hence are entitled to attend and vote on issues individually or by proxy.
- 4.(3) Teachers are ex-officio members of the centre and are entitled to attend meetings and vote on issues.
- 4.(4) Parents or Guardians whose children had not attended the centre for three months prior to the date of a meeting, shall participate in the proceedings of the meeting but shall not have the right to cast their votes without submitting a valid reason for their children's absence in writing to the secretary.
- 4.(5) All member of the centre shall be bound by the rules and by laws of the Centre, as well as the Associations Incorporation Act, 1984.

5. NON-MEMBERS AT GENERAL MEETINGS

- 5.(1) Any member of the community who is interested in the development of the Centre shall be allowed to attend the general meeting.
- 5.(2) Non-members shall not participate in any Executive Committee meetings or address any general meeting.
- 5.(3) The chairperson shall have the right to direct non-members to leave any meeting at any time.

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6. CESSATION OF MEMBERSHIP

A person shall cease to be a member of the Centre if the person -

- (a) dies;
- (b) resigns the membership;
- (c) loses his membership rights later by not qualifying to be a member;
- (d) is expelled from the Centre.

7. RESIGNATION OF MEMBERSHIP

- 7.(1) A member of the centre shall pay all his dues payable by him before resigning his membership.
- 7.(2) Where a member of the Centre ceases to be a member pursuant to clause (1) and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

8. REGISTER OF MEMBER

- 8.(1) The secretary of the Centre shall establish and maintain a register of members of the Centre specifying the name and address of each person who is a member of the Centre together with the date on which the person became a member.
- 8.(2) The register of members shall be available for inspection by any member of the Centre at any reasonable hour.

9. FEES, SUBSCRIPTION, ETC.

- 9.(1) The subscriptions shall be collected from the parents of the children currently attending the school, according to the recommended scale by the financial sub-committee referred in clause 19(13)(d).

10. MEMBERS LIABILITIES AND RESOLUTION OF INTERNAL DISPUTES

- 10.(1) In the event of winding up of the Centre the liability of a member of the Centre to contribute towards the payment of the debts and liabilities or the cost, charges and expenses shall be limited to the amount, if any unpaid by the member in respect of subscription of the Centre as required by clause 9.1.
- 10.(2) Disputes between members (in their capacity as members) of the Centre, and disputes between members and the Centre, may be resolved through internal mediation within the Centre or shall be referred to a Community Justice Centre for mediation in accordance with the Community Justice Centres Act, 1983.

11. DISCIPLINING OF MEMBERS

11.(1) Where the Executive Committee is of the opinion that a member of the Centre -

- (a) has persistently refused or neglected to comply with a provision or provisions of these rules; or
- (b) has persistently and willfully acted in a manner prejudicial to the interests of the Centre,

the Executive Committee may, by resolution -

- (c) expel the member from the Centre; or
- (d) suspend the member from membership of the Centre for a specified period.

11.(2) Where the committee passes a resolution under rule 11(1), the secretary as soon as practicable, cause a notice in writing to be served on the member.

- (a) setting out the resolution of the committee and the grounds on which it is based;
- (b) stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;

(c) stating the date, place and time of that meeting; and

(d) informing the member that the member may either or both doing the following:

- A. attend and speak at that meeting; and/or
- B. submit to the committee at or prior to the date of that meeting written representations relating to the resolution.

11.(3) A resolution of the committee under rule 11(1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under Clause (2), confirms the resolution in accordance with this rule.

11.(4) At a meeting of the committee held as referred to in Clause (3), the committee shall -

- (a) give to the member an opportunity to make oral representations;
- (b) give due consideration to any representations submitted to the committee by the member at or prior to the meeting; and
- (c) by resolution determine whether to confirm or to revoke the resolution.

11.(5) Where the committee confirms a resolution under Clause (4), the secretary shall, within 7 days after that confirmation, by notice in writing inform the member the outcome of the resolution.

11.(6) Nothing other than day to day business of running the centre shall be transacted or promoted at the school compound, during the school hours.

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11.(7) The chairperson shall have the right to overrule any personal matters raised in any dispute.

PART III EXECUTIVE COMMITTEE

12. POWERS AND MANAGEMENT

12.(1) The Executive Committee shall be called the committee of management of the Centre and, subject to the Act, the Regulation and these rules and to any resolution passed by the Centre in general meeting -

- (a) shall control and manage the affairs of the Centre;
- (b) may exercise all such functions as may be exercised by the Centre other than these functions that are required by these rules to be exercised by a general meeting of members of the Centre; and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Centre.

13. CONSTITUTION AND EXECUTIVE COMMITTEE MEMBERSHIP (MANAGEMENT)

13.(1) Subject in the case of the first members of the committee to Section 21 of the Act, the Executive committee shall consist of -

- (a) the office-bearers of the Centre; and
- (b) 3 ordinary members, each of whom except referred in clause 3 shall be elected at the annual general meeting of the Centre every year.

13.(2) The office-bearers of the Centre shall be the following six members -

- (a) the president;
- (b) the vice-president;
- (c) the treasurer;
- (d) the secretary;
- (e) the principal; and
- (f) the vice principal

13.(3) The Executive Committee with the exception of the principal and vice principal shall be elected by the members at the annual general meeting.

13.(4) Principal and vice principal are ex-officio members of the Executive Committee and shall be appointed by the Executive Committee and ratified by the members at the subsequent general meeting.

13.(5) The term of the principal and vice-principal shall be three years, and are eligible for re-appointment in accordance with clause (4).

13.(6) Each member of the committee shall, subject to these rules, hold office until the conclusion of the Annual General Meeting (A.G.M.) following the date of the committee members election, but is eligible for re-election.

The CORPORATE AFFAIRS COMMISSION being a person declared by the Attorney General by notification published in the Government Gazette on the 21st day of September 1979 to be an approved person for the purposes of section three of the Companies (Reproductions) Act, 1967 HEREBY CERTIFIES pursuant to the Section that this transparency is made as a permanent record of a document in its custody or control. DATE: 19/3/95 FISH NUMBER 131071



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- 13.(7) In the event of a casual vacancy occurring in the committee membership of the committee, the committee may appoint a member of the Centre to fill the vacancy and the member so appointed shall hold office, subject to these rules, until the conclusion of the A.G.M. next following the date of the appointment.
- 13.(8) The Executive Committee may form extra positions deciding upon by majority votes in the A.G.M.
- 13.(9) No office bearers position shall be kept vacant for more than 14 days.

14. ELECTION OF COMMITTEE MEMBER

- 14.(1) A person seeking a position to the Executive Committee shall submit his/her nomination to the position duly proposed and seconded by two members and accompanied by the written consent of the candidate.
- 14.(2) Such nominations shall be handed to the secretary not less than 7 days before the date fixed for the A.G.M.
- 14.(3) If insufficient nominations are received to fill all vacancies on the committee, the candidate nominated shall be deemed to be elected and further nominations shall be received at the A.G.M.
- 14.(4) If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be casual vacancies, and may be continued by the previous year office bearers until the committee appoints the members.
- 14.(5) A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for election to another office at the same election.
- 14.(6) The candidature of a person shall be deemed null and void if he or she is not present at the A.G.M.
- 14.(7) In the event of a candidate who has submitted his/her nominations being unable to be present at the A.G.M shall submit a letter to the secretary of his/her acceptance, where the two members referred in clause (1) shall be present at the A.G.M. In such a circumstance clause (6) shall not apply.
- 14.(8) In the event of more than one candidate contesting a position at the Executive Committee, elections to such positions shall be held by a secret ballot.
- 14.(9) Members shall elect a temporary chairperson, secretary and a member to conduct the election of the Executive Committee members.
- 14.(10) The persons elected under clause (9) shall not be a candidate for any positions in the Executive Committee nor a proposer or a seconder of any candidate seeking a position in the Executive Committee.
- 14.(11) Election committee which consists of members mentioned in clause (9) shall conduct the election and announce the winners immediately. A candidate gaining a simple majority on the votes cast shall be declared winner. Votes received by each candidate shall not be announced.
- 14.(12) In the event of any dissatisfaction in the elections a recount of votes may requested by a member. In such circumstances the votes cast shall be re-counted in the presence of the candidate or a nominee of the candidate in the disputed election.

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14.(13) It shall be the responsibility of the outgoing members of the Executive Committee to ensure the smooth transfer of all responsibilities to the newly elected members of the Executive Committee who shall assume their responsibilities immediately upon the election.

15. DUTIES OF THE EXECUTIVE COMMITTEE SHALL BE:

15.(1) President:

- (a) chairs the meetings;
- (b) keeps close contact with the day school and co-ordinates with the principal of the Centre;
- (c) represents the school at official functions;
- (d) carryout duties as per rule 41.(3);
- (e) one of the signatories of the bank account;
- (f) decision making in the day to day administration of the school;
- (g) the ex-officio member in all three sub-committees;
- (h) delegate responsibility to committee members to assist in functioning of the committee; and
- (i) shall have the right to control debate discussion.

15.(2) Vice-President:

- (a) heads the cultural sub-committee;
- (b) chairs meetings in the absence of the president;
- (c) assists the president, secretary and Treasurer;
- (d) one of the signatories of the bank account in the absence of the president;

15.(3) Secretary:

- (i) shall as soon as practicable after being appointed as secretary, lodge a notice with the Centre of his or her address;
- (ii)
  - (a) prepares the agenda for the meeting;
  - (b) takes accurate minutes of all meetings and of names of the member present at meetings;
  - (c) notices the Executive Committee meetings, A.G.M., general meetings and items of the agenda;
  - (d) collects mail, copies if necessary and distributes it appropriately;
  - (e) responsible for the school records, membership lists, students lists, etc; and for period of 2 years if the Centre ceased to exist;
  - (f) fills in forms and supplies information to government departments when required;
  - (g) correspondants with departments, other institutions, and individuals on school matters as decided by the executive committee;
  - (h) keep a record of all inward and outward letters;
  - (i) one of the signatories to the bank account;
  - (j) responsible for the distribution and display of the minutes on Saturday school notice board;

(iii) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

15.(4) Treasurer:

- (a) heads the financial sub-committee;
- (b) responsible for major purchase of the school items as decided by the Executive Committee;

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- (c) authorises expenditure as stated in clause 19.(13)(b);
- (d) keeps the school account in order and up to date and deposits all money as soon as practicable to the credit of the Centres bank account;
- (e) issues receipts for donations paid as soon as practicable;
- (f) submits a financial statement at each executive meetings which shows monthly income and expenditure;
- (g) submission of audited annual accounts at the A.G.M.s;
- (h) one of the signatories of the bank account.

15.15) Principal:

- (a) heads the educational sub-committee;
- (b) carryout duties as per rule 41.(3);
- (c) responsible for the use of the schools teaching resources;
- (d) co-ordinates the sharing of resources of all teachers;
- (e) recommends book purchases to the Executive Committee;
- (f) represent teachers interests at the Executive Committee;
- (g) presides monthly staff meetings;
- (h) represents the school at official functions;
- (i) member of the cultural sub-committee;
- (j) decides on the placement of students from class to class based on the assessment by the teachers.

15.16) Vice-Principal:

- (a) assists the principal in all his duties;
- (b) represents the principal on his absence.

16. CASUAL VACANCIES

For the purposes of these rules, a casual vacancy in the office of a member of the committee occurs if the member -

- (a) dies;
- (b) ceases to be a member of the association;
- (c) becomes an insolvent under administration within the meaning of corporations law;
- (d) resigns office by 14 days prior notice in writing to the secretary;
- (e) is removed from office under rule (17);
- (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- (g) is absent without the consent of the committee for three consecutive monthly meetings.

17. REMOVAL OF EXECUTIVE COMMITTEE MEMBER

- 17.(1) The tenure of the principal or vice-principal may be terminated by executive committee before the end of the term, in a general meeting by resolution, and may may appoint another person in the same meeting according to Rule 13.(4) for the full term.
- 17.(2) The centre, in a general meeting may by resolution remove any member of the committee from the office of committee member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the committee member so removed.

18. COMMITTEE MEETINGS AND QUORUM

- 18.(1) The Executive Committee shall meet once in every month, at such place and the time as the committee may determine.
- 18.(2) In addition to monthly meetings special meetings may be called by the secretary to discuss and deliberate on matters of urgency at the request of at least two committee members.
- 18.(3) The dates for monthly meetings shall be planned and listed by all members at the first executive committee meeting for the year and the copies of the dates of the meeting for whole year be distributed to all committee members before the second meeting for the year by the secretary.
- 18.(4) The agenda of the meeting of the committee shall be given by the secretary to each committee member at least 48 hours before the time appointed for the holding of the meeting.
- 18.(5) Agenda of a meeting given under clause (4) shall specify the general nature of the business to be transacted at the meeting, and no business other than that shall be transacted at the meeting, except business which the committee members present at the meeting, unanimously agreed to treat as urgent.
- 18.(6) Quorum for an executive committee meeting shall be any four members of the Executive Committee.
- 18.(7) At a meeting of the committee -
- (a) the president or, in the president's absence the vice-president, shall preside; or
  - (b) if the president and vice-president are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

19. FUNCTION OF THE EXECUTIVE COMMITTEE AND DELEGATION BY EXECUTIVE COMMITTEE TO SUB-COMMITTEE

- 19.(1) All members of the Executive Committee shall fulfill their tasks gratuitously.
- 19.(2) The Executive Committee prepares the annual budget and shall be responsible for management of finance of the Centre.
- 19.(3) The executive committee shall be responsible for all dealings and correspondences with the state or any of its organisations.
- 19.(4) The Executive Committee shall be divided into three sub-committees -
- (a) Educational;
  - (b) Finance;
  - (c) Cultural.
- 19.(5) Each sub-committee shall have three members of the committee.
- 19.(6) Educational sub-committee shall be chaired by the principal; Financial sub-committee by the treasurer; and the Cultural sub-committee by the vice-president.

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HENRY CHRISTIE  
Secretary to the Commission

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19.(7) In the event of a sub-committee deciding to seek expert opinions from any persons of the community, that sub-committee shall have the right to invite no more than two persons to participate at the proceedings of that sub-committee provided they are not opposed by majority members.

19.(8) Invitees to the sub-committee shall participate at proceedings but shall not have the right to vote on any issues.

19.(9) The president shall be the ex-officio member in all three sub-committees.

19.(10) A sub-committee may meet and adjourn as it thinks proper.

19.(11) In the event of any disputes arising at the sub-committee meetings the disputed matter shall be moved to the executive committee by the president, for decision making.

19.(12) The education sub-committee shall be responsible for -

- (a) engagement of teachers and payment of allowances;
- (b) co-ordinate the work of teachers and the Executive Committee;
- (c) maintaining discipline at the school;
- (d) reviewing of the school curriculum;
- (e) organising activities to encourage students to speak and write Tamil Language at the school/inter school level;
- (f) co-ordinating with other Tamil Study Centres and other relevant organisations on common educational matters;
- (g) co-ordinate the work of teachers.

19.(13) The financial sub-committee shall be responsible for -

- (a) drafting of annual budget;
- (b) delegation of all recurrent payments and any other payments up to a maximum of \$ 50-00 to the treasurer;
- (c) fund raising activities based on the budget proposals;
- (d) recommending the scale of school donations from parents.

19.(14) The cultural sub-committee shall be responsible for -

- (a) organising cultural events;
- (b) working with other organisations for the purpose of promoting various common cultural activities;
- (c) organising activities for the purpose of promoting tamil language and culture;
- (d) printing a news letter with contributions from students and teachers alongside other relevant information to the general members.

19.(15) The Executive Committee may by instrument in writing, revoke wholly or in part any delegation under this rule.

20. VOTING AND DECISIONS

20.(1) Decisions at a Executive Committee meeting or of any sub-committee meeting shall be determined by a majority of the votes of members of the executive committee or sub-committee present at the meeting.

- 20.(2) Each member present at a meeting of the Executive Committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 20.(3) All motions before the chair shall be agreed to before proceeding to the next motion.
- 20.(4) Members shall support the decision that has been made by the members and comply with a provision or provision of this constitution.

**PART IV GENERAL MEETINGS**

**21. ANNUAL GENERAL MEETINGS - HOLDING OF:**

- 21.(1) With the exemption of the first annual general meeting of the Centre, the Centre shall, at least once in each calendar year and within 30 days of the commencement of the school year, convene an annual general meeting of its members.
- 21.(2) Commencement of the school year of the Centre coincides with the school year of the department of school education of NSW.
- 21.(3) Clauses (1) and (2) have effect subject to any extension or permission granted by the commission under section 26.(3) of the Act.

**22. ANNUAL GENERAL MEETING - CALLING OF AND BUSINESS AT:**

- 22.(1) The annual general meeting of the Centre shall, subject to the Act and to rule 21, notified by mail the date, time and venue of the A.G.M. at least 14 days prior to the meeting.
- 22.(2) In addition to any other business which may be transacted at an A.G.M., business of an A.G.M. shall be -
- (a) to confirm the minutes of the last preceding A.G.M. and of any special general meeting held since that meeting;
  - (b) the outgoing president shall report on the previous years activities;
  - (c) the treasurer shall submit the audited financial statement for the year for discussion and acceptance. (pursuant to section 26.(6) of the Act.); and
  - (d) to elect office-bearers of the centre and ordinary members of the committee;
  - (e) the members shall appoint the auditor for the year.

22.(3) An A.G.M. shall be specified as such in the notice convening it.

**23. SPECIAL GENERAL MEETINGS - CALLING OF:**

- 23.(1) The committee may, whenever it thinks fit, convene a special general meeting of the Centre.
- 23.(2) The committee shall, on the requisition in writing of not less than one fifth of the general membership or by 15 members (the least), convene a special general meeting of the centre.
- 23.(3) A requisition of members for a special general meeting -
- (a) shall state the purpose or purposes of the meeting;
  - (b) shall be signed by the members making the requisition;

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1913195

FILE NUMBER 131071

COPIES OF MR. EVIDENCE (REPRODUCTIONS) ACT, 1967  
PURSUANT TO THE SECTION THAT THIS TRANSPARENCY IS MADE AS A PERMANENT RECORD OF A DOCUMENT IN ITS CUSTODY OR CONTROL.  
UNDER DELEGATION FROM THE COMMISSIONER, DATED 19/3/95  
FILM-NUMBER 131071

- (c) shall be lodged with the secretary; and
- (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

23.(4) The secretary shall call for a special general meeting within 30 days of receipt of such a request.

#### 24. NOTICE

24.(1) The members shall be notified by mail the date, time, venue and agenda of the meeting at least 14 days prior to the meeting, except where the nature of the business proposed requires a special resolution.

24.(2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Centre, the secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.

24.(3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an A.G.M., business which may be transacted pursuant to rule 22.(2) or in which the members present at the meeting unanimously agree to treat as an urgent matter.

24.(4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary, who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

#### 25. PROCEDURE

25.(1) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

25.(2) One third members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

25.(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and at the same place.

25.(4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than 12, consisting of 3 to conduct the elections and nine committee members) shall constitute a quorum.

#### 26. PRESIDING MEMBER

26.(1) The president or, in the president's absence, the vice-president, shall preside as chairperson at each general meeting of the Centre.

26.(2) If the president and the vice president are absent from a general meeting or unwilling to act, the members present shall elect one of their member to preside as chairperson at the meeting.

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## 27. ADJOURNMENT

- 27.(1) The chair person of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 27.(2) Where a general meeting is adjourned for 14 days or more, the secretary shall give written or oral notice of the adjourned meeting to each member of the centre stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 27.(3) Except as provided in clause (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

## 28. MAKING OF DECISIONS

- 28.(1) A question arising at a general meeting of the centre shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Centre, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 28.(2) At a general meeting of the association, a poll may be demanded by the chairperson or by not less than 3 members present in person or by proxy at the meeting.
- 28.(3) All motions before the chair shall be agreed to before proceeding to the next motion.
- 28.(4) Members of the centre shall support the decision that has been made by the members and comply with a provision or provisions of this constitution.

## 29. SPECIAL RESOLUTION

- 29.(1) A resolution of the Centre is a special resolution if -
  - (a) it is passed by a majority which comprises not less than three quarters of such members of the Centre as, being entitled under these rules so to do, vote in person or by proxy at a general meeting of which not less than 21 days written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
  - (b) where it is made to appear to the commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) - the resolution is passed in a manner specified by the commission.
- 29.(2) Any member shall be entitled to move a resolution at the appropriate time of a general meeting.
- 29.(3) Such resolutions shall not be contrary to the aims and objectives of the Centre or contradict the constitution.



29.(4) The president or the chairperson of the meeting shall allocate sufficient time for members to discuss and debate the issues in the resolution.

30. VOTING

30.(1) Upon any question arising at a general meeting of the centre, a member has one vote only.

30.(2) All votes shall be given personally or by proxy but no member may hold more than 5 proxies.

30.(3) In the case of an equality of votes on a question at a general meeting, the chair person of the meeting is entitled to exercise a second or casting vote.

31. APPOINTMENT OF PROXIES

31.(1) Each member shall be entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

31.(2) The notice appointing the proxy shall be in the form set out in Appendix - 1 to these rules.

PART V MISCELLANEOUS

32. INSURANCE

32.(1) The Centre shall effect and maintain insurance pursuant to section 44 of the Act. (Is to take out and maintain a public liability insurance policy for a minimum of \$ 2 million.)

32.(2) In addition to the insurance required under clause (1), the Centre may effect and maintain other insurance.

33. FUNDS - SOURCE

33.(1) The funds of the centre shall be derived from subscriptions of parents, grants, donations and subject to any resolution passed by the centre in general meeting, such other sources as the committee determines.

33.(2) All money received by the Centre shall be deposited as soon as practicable and without deduction to the credit of the Centre's bank account.

33.(3) The Centre shall, as soon as practicable after receiving any money, issue an appropriate receipt.

34. FUNDS - MANAGEMENT

34.(1) The Centre shall maintain a bank account in the name of the "Wentworthville Tamil Study Centre".

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- 34.(2) Subject to any resolution passed by the Centre in general meeting, the funds of the Centre shall be used in pursuance of the objects of the Centre in such manner as the committee determines.
- 34.(3) If any single expenditure exceed over \$ 1000-00 such expenditure shall be approved by the Centre in a general meeting.
- 34.(4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the office bearers of the Centre mentioned below -
  - (a) president or vice-president;
  - (b) treasurer;
  - (c) secretary.
- 34.(5) Financial year of the school ends on 31st of December of year.
- 34.(6) The assets and income of the Centre shall be applied solely in futherence of its objectives mentioned in these rules and no portion shall be distributed directly or indirectly to the members of the Centre except as bona fide compensation for services rendered or expenses incurred on behalf of the Centre.
- 34.(7) In the event of the Centre being dissolved, the amount which remains after such dissolution, and the satisfaction of all debts and liabilities, shall be transferred to any fund, institution or authority which is a non-profit organisation decided upon by members at a general meeting.

35. AUDITOR

35.(1) Auditor shall audit the accounting records and the annual accounts statement prepared by the treasurer and certify it.

36. ALTERATION OF OBJECTS AND RULES

- 36.(1) Any member wishing to make an amendment in the constitution shall do so in writing and hand it over to the secretary at least 30 days prior to the general meeting.
- 36.(2) The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the Centre.
- 36.(3) Such amendments shall be added as appendices to the constitution.

37. COMMON SEAL

- 37.(1) The common seal of the Centre shall be kept in the custody of the secretary.
- 37.(2) The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common sea shall be attested by the signatures either of two members of the committee or of one member of the committee and of the secretary.

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38. CUSTODY OF BOOKS, ETC.

38.(1) Except as otherwise provided by these rules, the secretary shall keep in his or her custody or under his or her control all records, books and other documents relating to the Centre.

39. INSPECTION OF BOOKS, ETC.

39.(1) The records, books and other documents of the Centre shall be open to inspection, upon request of any member of the Centre at any reasonable hour.

40. SERVICE OF NOTICES

40.(1) For the purpose of these rules, a notice may be served by or on behalf of the Centre upon any member either personally or by sending it by post to the member at the member's address shown in the register of members.

40.(2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

PART IV FEDERATION OF NSW TAMIL SCHOOLS

41. FEDERATION OF NSW TAMIL SCHOOLS

41.(1) This Centre shall be the member of the Federation with the approval of the members at a general meeting.

41.(2) This Centre shall not cease its membership from the Federation unless its decided upon by the majority members of the Centre at a general meeting.

41.(3) The president and the principal currently holding office or any two Executive Committee members elected by the Executive Committee shall represent the Centre at the Federation.

41.(4) Nothing contained in this constitution can be used to by-pass the requirements of other Tamil Study Centres, the Act, the Regulation or the Federation.

Appendix - 1

(Rule 31.(2))

Form of Appointment of Proxy

I .....  
(Full Name)

of .....  
(Address)

being a member of the Wentworthville Tamil Study Centre (Inc) hereby appoint

.....  
(Full Name of Proxy)

of .....  
(Address)

being a member of that incorporated Centre, as my proxy to vote for me on my behalf at the general meeting of the centre (A.G.M. or special general meeting, as the case may be) to be held on

.....day of.....19..... and at any adjournment of that meeting.

- \* My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).
- \* (to be inserted if desired.)

.....  
Signature of member appointing proxy

Date .....

Note: A proxy vote may not be given to a person who is not a member of the Centre.

The COMPANIES AFFAIRS COMMISSION being a person declared by the Attorney General by notice published in the Government Gazette on the 24th day of September 1979 to be an approved person for the purposes of section 219 of the Companies (Reproduction) Act, 1967 HEREBY CERTIFIES pursuant to the Section that this transparency is made as a permanent record of a document in its custody or control.

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