



# CONSTITUTION

## RULES OF NEWSTEAD CHRISTIAN SCHOOL INCORPORATED

### 1 NAME:-

The name of the Association shall be Newstead Christian School Incorporated.

### 2 EXCLUSION OF MODEL RULES

The model rules for an Association prescribed by the Associations Incorporation (Model Rules) Regulations 1964 shall not apply to the Association except as far as the same are expressly embodied in these rules.

### 3 INTERPRETATION

- (1) In these rules, unless a contrary intention appears, "Committee" - means the Governance Board of the Association; "General Meeting" - means a General meeting of the members convened in accordance with Rule 13; "Ordinary Committee Member" - means a member of the Board to whom paragraph (b) of Sub-rule (1) of Rule 24 relates; "School" - means the School referred to in paragraph (a) of sub-rule (1) of Rule 5.
- (2) In these rules, expressions referring to writing shall, unless a contrary intention appears, be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form.
- (3) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1931, and the Act as in force on the date on which these rules are adopted by the Association.

### 4 OFFICE

The office of the Association is located for the time being at 31–37 Tudor Avenue, Newstead, TAS 7250.

### 5 OBJECTS

- (1) The basic objects and purposes of the Association are:
  - (a) To maintain a Christian School, in accordance with the Federal and State Education Acts and the Australian School Curriculum and in pursuant to the doctrinal basis of the School as defined in Annexure 1. Statement of Faith and Annexure 2. Statement of Core Values.
  - (b) To provide such a School to service the needs of Christian parents and their children in the faith as pursuant to 5.(1).(a).
  - (c) To help establish and grow other Christian Schools with similar values as defined in Annexure 2. Statement of Core Values.

(d) To promote and encourage Christian family values and provide support for parents of children associated with the School to maintain those values as pursuant to 5.(1).(a).

(e) To print, publish and distribute literature which affirms Christian values in education and the family unit, or to promote the School in accordance with Annexure 1. Statement of Faith and Annexure 2. Statement of Core Values.

(f) To conduct such meetings, seminars or conferences in order to promote the aims and purposes of the School and to inform the wider public of the aims and benefits of Christian education in accordance with Annexure 1. Statement of faith and Annexure 2. Statement of Core Values.

(2) (i) In addition to the basic objects of the Association, the objects and purposes of the Association shall be deemed to include: -

(a) the purchase, taking on lease, or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Association;

(b) the buying, selling and supplying of, and dealing in, goods of all kinds;

(c) the construction, maintenance, and alterations of buildings or works necessary or convenient for any of the objects or purposes of the Association;

(d) the accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the Association;

(e) the taking of such steps from time to time as the Board or the members in General meeting may deem expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, subscriptions, or otherwise;

(f) the printing and publishing of such newspapers, periodicals, books, leaflets, or other documents as the Committee or the members in General meetings may think desirable for the promotion of the objects and purposes of the Association;

(g) the borrowing and raising of money in such manner and on such terms as the Committee may think fit, or as may be approved or directed by resolution passed at a General meeting;

(h) subject to the provisions of the Trustee Act 1898, the investment of any monies of the Association not immediately required for any of its objects or purposes in such manner as the Board may from time to time determine;

(i) the making of gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which paragraph (a) of subsection (1) of Section 78 of the Income Tax and Social Services Contribution Assessment act 1936 to 1964 of the Commonwealth relates;

(j) the establishment and support, or aiding in the establishment and support, of Associations, institutions, funds, trusts, schemes, and conveniences calculated to benefit servants of the Association and in accordance with the basic objects of the Association;

(k) the establishment and support, or aiding in the establishment or support, of any other Association formed for any of the basic objects of the Association;

(l) the purchase or acquisition, and undertaking, of all or any part of the property, assets, liabilities, and engagements of any Association with which the Association may at any time become amalgamated in accordance with the provisions of the Act and the rules of the Association; and

(m) the doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Association or of any of the subjects and purposes specified in the forgoing provisions of this sub-rule.

In this rule, "basic objects of the Association" means the objects and purposes of the Association, as stated in the application under sub-section 2 of section 7 of the Act for the incorporation of the Association lodged with the registrar pursuant to that section.

## 6 MEMBERSHIP

(1) A person who is not a member of the Association at the time of the Incorporation of the Association shall not be admitted to membership unless: -

(a) the potential member has been provided with the Rules of the Association.

(b) the applicant's admission as a member is approved by the Committee.

(2) A person who is approved for membership as provided in these rules is eligible to be a member of the Association on signing the members register.

(3) A potential consenting member is to be nominated and seconded for membership by current members during a General meeting and subsequently approved.

(4) Upon being approved by the Committee, the Public Officer shall, with as little delay as possible, notify the approved member in writing that he/she has been approved for membership of the Association, and, shall enter the applicants name in a register of members to be kept at the office of the Association, whereupon the applicant signs the register and becomes a member of the Association.

(5) A member of the Association may, at any time, resign from the Association, by delivering a written notice of resignation.

(6) Upon receipt of a notice under sub-rule (5) of this rule, the Public Officer shall remove the name of the member by whom the notice was given from the register of members, whereupon that member ceases to be a member of the Association.

(7) A right, privilege, or obligation of a person by virtue of his membership of the Association: –

(a) is not capable of being transferred or transmitted to another person; and

(b) terminates upon the cessation of his membership, whether by death, resignation, or cessation of his active involvement in the Associations affairs for a period of greater than 18 months, or otherwise.

(8) In the event of the Association being wound up:

(a) Every member of the Association; and

(b) every person who, within a period of 12 months immediately preceding the commencement of the winding up, was a member of the Association, is liable to contribute to the assets of the Association for payment of the debts or liabilities of the Association, and for the costs, charges, and expenses of the winding up and for the adjustment of the rights of the contributors among themselves such sum, not exceeding one dollar as may be required, but a former member is not liable to so contribute in respect of any debt or liability of the Association contracted after he ceased to be a member.

## 7 INCOME AND PROPERTY

(1) The income and property of the Association however derived, shall be applied solely toward the promotion of the objects and purposes of the Association and no portion thereof shall be paid or transferred, directly or indirectly, by dividend, bonus, or otherwise, to any member of the Association.

(2) Nothing in the foregoing prevents the payment in good faith to a servant or member of the Association of: –

(a) Fair remuneration in return for services actually rendered to the Association by the servant or member or for goods supplied to the Association by the servant or member in the ordinary course of business;

(b) interest at a rate not exceeding the current bank rate on personal loans or monies lent to the Association by the servant or members; or

(c) a reasonable and proper sum by way of rent for premises let to the Association by the servant or member.

(3) Nothing in the foregoing prevents the School acting in the course of its ministry, and in good faith, from disbursing by gift or loan, with or without interest, such portion of the funds of the Association, as it has at its disposal for this purpose, to any person whom it deems to be a proper recipient of Christian charity. Such disbursements shall be noted in the records of the School as payments to "necessitous cases".

## 8 ACCOUNTS OF RECEIPTS, EXPENDITURE, ETC.

(1) True accounts shall be kept: -

(a) of all sums of money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place; and

(b) of the property, credits, and liabilities of the Association; and

(c) subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Association for the time being; those accounts shall be open to the inspection of the members of the Association.

(2) The Treasurer of the Association shall oversee the faithful keeping of all General records, accounting books, and records of receipts and expenditure connected with the operations and business of the Association in such manner as the Committee may direct.

(3) The accounts, books, and records referred to in sub-rules (1) and (2) of this rule shall be kept at the Association's office or at such other place as the Committee may decide.

#### 9 BANKING AND FINANCE.

(1) The Treasurer of the Association shall as directed by the Committee, and, on behalf of the Association, oversee all monetary transactions of the Association and ensure the proper recording of these monies.

(2) The Treasurer, acting on behalf of the Association as directed by the Committee, shall oversee all existing bank accounts of the Association and the opening of any new bank accounts into which all monies received by the Association shall be paid as soon as possible after receipt thereof.

(3) The Committee may receive from the Association's bank or bankers from time to time cheques drawn by the Association or digital transfer on any of its accounts with the bank or bankers and release and indemnify the bank or bankers from and against all claims, actions, suits, or demands that may be brought against the bank or bankers arising directly or indirectly from such cheques or digital transfer or the surrender thereof to the Association.

(4) Except with the authority of the Committee, no payment shall be made from the funds of the Association other than by cheque drawn on the Association's bank account or digital transfer; but the Committee may provide the treasurer with a sum to meet urgent expenditure, subject to the observance of such conditions in relation to the use and expenditure thereof as the Committee may impose.

(5)

(a) No cheques or digital transfer shall be drawn on the Association's bank account for the payment of expenditure that has not been authorised by the Committee except that such authorisation shall not be required for the payment of recurrent expenditure not exceeding one hundred dollars

(b) Subject to clause 9.(1) Cheques drawn or digital transfer for the purpose of transferring funds from one account of the Association to another account of the Association shall not require authorisation of the Committee.

(6) All cheques, drafts, bills of exchange, promissory notes, including digital transactions and other negotiable instruments shall be signed by the Treasurer, or in his absence, by such other member or members of the Committee as the Committee may nominate for that purpose.

#### 10 AUDITOR:

(1) At each annual General meeting of the Association, the members present shall appoint a person as the Auditor of the Association.

(2) A person so appointed shall hold office until the annual General meeting next after that at which he/she is appointed, and is eligible for re-appointment.

(3) The first Auditor of the Association may be appointed by the Committee before the first Annual General Meeting, and, if so appointed, shall hold office until the first Annual General Meeting, unless previously removed by a resolution of the members at General meeting, in which case the members at that meeting may appoint an Auditor to act until the first Annual General Meeting.

(4) If an appointment is not made at an Annual General Meeting the Committee shall appoint an Auditor of the Association for the then current financial year of the Association.

(5) Except as provided in sub-rule (3) of this rule, the Auditor may only be removed from office by a special resolution.

(6) If a casual vacancy occurs in the office of Auditor during the course of a financial year of the Association, the Committee may appoint a person as the Auditor and the person so appointed shall hold office until the next succeeding Annual General Meeting.

#### 11 AUDIT OF ACCOUNTS:

(1) Once at least in each financial year of the Association, the accounts of the Association shall be examined by the Auditor.

(2) The Auditor shall certify the correction of the accounts of the Association and shall report thereon to the members present at the Annual General Meeting.

(3) In his report, and in certifying the accounts, the Auditor shall state: -

(a) whether he/she has obtained the information required by him/her;

(b) whether in his/her opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association according to the information at his/her disposal and the explanations given to him/her and as shown by the books of the Association; and

(c) whether the rules relating to the administration of the funds of the Association have been observed.

(4) The Public Officer of the Association shall oversee the delivery to the Auditor a list of all the accounts, books, and records of the Association.

(5) The Auditor: -

(a) has a right of access to the accounts, books, records, vouchers, and documents of the Association.

(b) may require from the servants of the Association such information and explanations as may he/she necessary for the performance of his/her duties as Auditor.

(c) may employ persons to assist him/her in investigating the accounts of the Association; and

(d) may, in relation to the accounts of the Association, examine any members of the Committee or any servant of the Association.

## 12 ANNUAL GENERAL MEETING

- (1) The Association shall, in each year, hold an Annual General Meeting.
- (2) The Annual General Meeting shall be held on such day (being not later than six months after the close of the financial year of the Association) as the Committee may determine.
- (3) The Annual General Meeting shall be in addition to any other Special General Meetings that maybe held in the same year.
- (4) The Annual General Meeting shall be specified as such in the notice convening it.
- (5) The ordinary business of the Annual General Meeting shall be:
  - (a) to confirm the minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that meeting;
  - (b) to receive from the Committee, Auditor, and servants of the Association reports upon the transactions of the Association during the last preceding financial year;
  - (c) to elect the Officers of the Association and the ordinary Committee members;
  - (d) to appoint the Auditor and determine his/her remuneration; and
  - (e) to determine the remuneration of the servants of the Association.
- (6) The Annual General Meeting may transact special business of which notice is given in accordance with these rules.
- (7) all General meetings other than the Annual General Meeting, shall be called Special General Meetings.

## 13 SPECIAL GENERAL MEETINGS.

- (1) The Committee may, whenever it thinks fit, convene a special General meeting of the Association.
- (2) The Committee shall, on the requisition in writing of not less than five members, convene a Special General Meeting of the Association.
- (3) A requisition for a Special General Meeting shall state the objects of the Meeting and shall be signed by the requisitionists and deposited at the office of the Association and may consist of several or more documents in the like form, each signed by one or more of the requisitionists.
- (4) If the Committee does not cause a Special General Meeting to be held within twenty - one days from the date on which a requisition therefore is deposited at the office of the Association, the requisitionists, or any of them, may convene the Meeting; but any Meeting so convened shall not be held after three months from the date of the deposit of the requisition.
- (5) A Special General Meeting convened by requisitionists in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which such Meetings are convened by the Committee, and all reasonable expenses incurred in convening the Meeting shall be refunded by the Association to the persons incurring them.



#### 14 NOTICES OF GENERAL MEETINGS:

The Public Officer of the Association shall, at least two weeks before the date fixed for holding a General Meeting of the Association, cause an announcement of the time and place of the Meeting to be given in writing to members.

#### 15 BUSINESS AND QUORUM AT GENERAL MEETINGS:

(1) All business that is transacted at Special General Meetings and all business that is transacted at the Annual General Meeting, with the exception of that specially referred to in these rules as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.

(2) 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 when the Meeting is considering that item.

(3) Any four Members of the Committee, plus the Chairman, or a person appointed by him as his deputy, or one third of the members of the Association personally present, (being members entitled under these rules to vote thereat), whichever is greater, constitute a quorum for the transactions of the business of a General Meeting.

(4) If within one hour after the appointed time for 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 it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned Meeting a quorum is not present, within one hour after the Meeting, the Meeting shall be dissolved .

#### 16 CHAIRMAN OF GENERAL MEETING:

The Chairman or in his/her absence the Vice Chairman or a person appointed by the Chairman shall preside as Chairman at every General Meeting of the Association.

#### 17 ADJOURNMENT OF GENERAL MEETINGS:

(1) The Chairman of a General Meeting at which a quorum is present may, with the consent of the Committee, adjourn the Meeting from time to time and place to place, 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.

(2) Where a Meeting is adjourned for fourteen days or more, the like notice of the adjourned Meeting shall be given as in the case of the original Meeting.

(3) Except as provided in the foregoing provisions of this rule, it is not necessary to give any notice of any adjournment or of the business to be transacted at an adjourned Meeting.

## 18 DETERMINATION OF QUESTIONS ARISING AT GENERAL MEETINGS

A question arising at a General Meeting of the Association shall be determined on a show of hands, and unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the Chairman that a resolution has, on show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, is sufficient to determine the matter, and an entry to that effect in the minute book of the Association is evidence of that fact, without proof of the number or proportion of the votes recorded in favour of, or against that resolution.

## 19 VOTES:

- (1) Upon any question arising at a General Meeting of the Association a member has one vote only.
- (2) All votes shall be given personally.
- (3) In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a second or casting vote.

## 20 TAKING OF POLL:

If at a Meeting a poll on any question is demanded it shall be taken at that Meeting in such a manner as the Chairman may direct, and the result of the poll shall be deemed to be the resolution of the meeting on that question.

## 21 WHEN POLL TO BE TAKEN:

A poll that is demanded on a question of adjournment shall be taken forthwith, and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.

## 22 AFFAIRS OF ASSOCIATION TO BE MANAGED BY A COMMITTEE

- (1) The affairs of the Association shall be managed by a Committee constituted as provided in rule 23.
- (2) The Committee;
  - (a) shall control and manage the business and affairs of the Association, and of its various subsidiaries.
  - (b) may appoint a Sub-committee, of such number of competent persons as it may determine, whether or not they are Members of the Association, to handle the affairs of any of the subsidiaries of the Association; except that any such Sub-committee shall remain under the control of the Committee.
  - (c) may, subject to these rules, exercise all such powers and functions as may be exercised by the Association, other than those powers and functions that are required by these rules to be exercised by General Meetings of members of the Association and
  - (d) subject to the Act and these rules, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.

## 23 OFFICERS OF THE ASSOCIATION:

(1) The Officers of the Association shall be

- (a) a Chairman
- (b) a Vice-Chairman
- (c) a Treasurer
- (d) a Secretary
- (e) a Public Officer who may also act as Secretary.

(2) The Chairman, Vice-chairman, Treasurer Public Officer and or Secretary shall be elected at the annual General meeting of the Association each year in accordance with the provisions of rule 24, so far they are applicable, and with any necessary modifications.

(3) The chairman, vice-chairman, treasurer and secretary shall hold office until the annual General Meeting next after the date of their election, but are eligible for re-election.

(4) The public officer is to be appointed by the Committee at the first meeting after the annual

(5) In the event of a casual vacancy in any office mentioned in sub-rule (1) of this rule, the following shall apply –

(a) the Committee may appoint any one of the members of the Association to the vacant office of Chairman, Vice-Chairman, Secretary or Treasurer, and the member so appointed may continue in office until the conclusion of the Annual General Meeting next following the date of his or her appointment.

## 24 MEMBERSHIP OF THE COMMITTEE

(1) The Committee shall consist of –

- (a) the Officers of the Association; and
- (b) two or more Ordinary Committee Members, who shall be elected at the Annual General Meeting of the Association in each year, in accordance with the provisions of Rule 24.

(2) Each ordinary Committee member shall, subject to these rules, hold office until the Annual General Meeting next after the date of his or her election. (3) In the event of a casual vacancy occurring in the office or Ordinary Committee Members, the Committee may appoint a member of the Association to fill the vacancy, and the member so appointed shall hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of his or her appointment.

## 25 ELECTION OF MEMBERS TO THE COMMITTEE

(1) Nominations of candidates for election as Chairman, Vice-Chairman, Treasurer and Secretary of the Association or as Ordinary Committee Members –

- (a) shall be made in any form such as the existing Committee may see fit.

(2) If insufficient nominations are received to fill all vacancies on the Committee, further nominations shall be made by the existing Committee providing the persons so nominated give written consent to their nomination.

(3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

(4) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.

(5) The ballot for the election of officers and Ordinary Committee Members shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.

(6) Officers of the Association and Committee members may be of either gender.

(7) The Committee may veto any nomination placed before it.

#### 26 VACATION OF OFFICE:

(1) For the purposes of these rules, the office of Chairman, Vice-Chairman, Treasurer, or Secretary of the Association or of any Ordinary Committee Member become vacant if the officer or Committee member –

(a) Dies;

(b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors, or compounds with his creditors, or makes any assignment of his estate for their benefit;

(c) becomes of unsound mind;

(d) resigns his office by writing or email under his hand to the Committee;

(e) ceases to be resident in the State;

(f) fails, without leave granted by the Committee, to attend three consecutive Meetings of the Committee;

(g) ceases to be a member of the Association;

(h) fails to sign the membership register within 14 days of acceptance by the Committee;  
or

(i) is dismissed from office by majority vote of the other Officers and Members of the Committee.

#### 27 MEETING OF THE COMMITTEE AND OF SUB-COMMITTEES:

(1) As nearly as is practicable the Committee shall meet at least four times a year at such place and at such times as the Committee may determine.

(2) Special Meetings of the Committee may be convened by the Chairman or any five of its Members.

(3) Notice shall be given to Members of the Committee of any Special Meeting, specifying the General nature of the business to be transacted, and no other business shall be transacted at such a Meeting.

(4) Any four members of the Committee, plus the Chairman, or a person appointed by him/her as his/her deputy, constitute a quorum for the transaction of the business of a Meeting of the Committee.

(5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the Meeting a quorum is not present, the Meeting shall stand adjourned to the same place and at the same hour of the same day in the following week, unless the Meeting was a Special Meeting, in which case it lapses.

(6) At Meetings of the Committee, the Chairman, or in his/her absence the person appointed by him/her as his/her deputy, shall preside.

(7) Questions arising at meetings of the Committee or of any Sub-Committee appointed by the Committee shall be determined on a show of hands, or if demanded by a number, a poll taken in such a manner as the person presiding at the Meeting may determine.

(8) Each Member present at a Meeting of the Committee or of any Sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

(9) Notice of each Committee meeting shall be given to each Member of the Committee by advising him/her seven days before the Meeting or by sending it by post in a prepaid letter addressed to him/her at his/her usual or last known place of abode in time to reach him/her in due course of post before the date of the Meeting.

## 28 DISCLOSURE OF INTEREST IN CONTRACTS ETC.

(1) A Member of the Committee who is interested in any contract or arrangement made or proposed to be made with the Association shall disclose his/her interest at the first Meeting of the Committee at which the contract or arrangement is first taken in to consideration, if his/her interest then exists, or, in other case, at the first Meeting of the Committee after the acquisition of his/her interest.

(2) If a Member of the Committee becomes interested in a contract or arrangement after it is made or entered in to he/she shall disclose his/her interest at the first Meeting of the Committee after he/she becomes so interested.

## 29 SUB COMMITTEES AND EXECUTIVE COMMITTEE:

(1) The Committee may at any time appoint a Sub-Committee from the Committee as it may think fit and shall prescribe the powers and functions thereof.

(2) The Committee may co-opt as members of a Sub-Committee such persons as it thinks fit, whether or not those persons are Members of the Association, but a person so co-opted is not entitled to vote.

(3) Three appointed Members of a Sub-Committee constitute a quorum at a meeting.

(4) The Public Officer of the Association is responsible for calling meetings of a Sub-Committee.

(5) The Chairman, the Vice-chairman, the Treasurer, and the Secretary constitute an Executive Committee, which may issue instructions to the Public Officer and the servants of the Association in matters of urgency with the management of the affairs of the Association during the intervals between Meetings of the Committee and where any such instructions are issued shall report thereon to the next Meeting of the Committee.

### 30. FINANCIAL YEAR:

The financial year of the Association is the period beginning on the 1st day of January in each year and ending on the 31st day of December of that year.

### 31. NOTICES:

A notice in writing or email may be served by or on behalf of the Association upon any Member, addressed to the Member at his usual or last known place of abode.

### 32. EXPULSION OF MEMBERS

(1) Subject to this rule, the Committee may expel a member from the Association if, in the opinion of the Committee the member has been guilty of conduct detrimental to the interests of the Association.

(2) The expulsion of a Member pursuant to sub-rule (1) of the rule does not take effect:

(a) until the expiration of fourteen days after the service on the Member of a notice under sub-rule (3) of this rule; or

(b) if a Member exercises his right of appeal under this rule, until the conclusion of the Special General Meeting convened to hear the appeal, whichever is the later date.

(3) Where the Committee expels a Member from the Association, the Public Officer of the Association shall, without undue delay, cause to be served on the Member a notice in writing or email:

(a) stating that the Committee has expelled the member;

(b) specifying the grounds for the expulsion; and

(c) informing the Member that if he/she so desires he/she may within fourteen days after the service of the notice to him/her, appeal against the expulsion as provided in this rule.

(4) A Member on whom a notice under sub-rule (3) of this rule is served may appeal against the expulsion to a Special General Meeting by delivering or sending by post or email to the Public Officer of the Association, within fourteen days after service of that notice, a requisition in writing demanding the convening of such a Meeting for the purpose of hearing his appeal.

(5) Upon receipt of a requisition under sub-rule (6) of this rule, the Public Officer shall forthwith notify the Committee of its receipt and the Committee shall thereupon cause a Special General Meeting of Members to be held within twenty-one days after the date on which the requisition is received by the Public Officer.

(6) At a Special General Meeting convened for the purpose of this rule:

(a) no business other than the question of the expulsion shall be transacted;)

(b) the Committee may place before the meeting details of the grounds of the expulsion and the Committee's reasons for the expulsion;

(c) the expelled Member shall be given an opportunity to be heard; and

(d) the Members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed.

(7) If at the Special General Meeting the majority of the Members present vote in favour of the lifting of the expulsion, the expulsion shall be deemed to have been lifted and the expelled Member is entitled to continue his/her membership of the Association.

### 33. DISPUTES:

(1) Subject to this rule, a dispute between a Member of the Association, in his/her capacity as a Member, and the Association shall be determined by arbitration in accordance with the provisions of the Arbitration Act 1892.

(2) Nothing in this rule affects the operation or effect of rule 32.

### 34. SEAL OF THE ASSOCIATION

(1) The seal of the Association shall be in the form of a rubber stamp inscribed with the name of the Association encircling the word "seal".

(2) The seal of the Association shall not be affixed to any instrument except by the authority of the Committee, and the affixing thereof shall be attested by the signatures of the Committee and of such other person as the Committee may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the Committee.

(3) The seal shall remain in the custody of the Public Officer.

### 35. WINDING UP THE ASSOCIATION:

Subject to section 33 of the Associations Incorporation Act 1964, the Association shall be wound up voluntarily whenever a special resolution is passed requiring the Association to be so wound up except that any such resolution shall provide for the distribution of the Association's assets to an organisation which satisfies the requirements of Section 78 (1)

(a) of the Commonwealth Income Tax and Social Services Contribution Assessment Act, and provided always that such organisation has like aims and objects as the Association.

### 36. AMENDMENTS OF THESE RULES

Any amendment of, or an alteration to, or rescinding of any of these rules may be made only when

- (a) the proposed change conforms to the relevant Act; and when
- (b) it is presented to a General Meeting of the Association, and is approved by at least three quarters of the Members present and voting at the Meeting; providing that
- (c) no amendment of these rules may be put before a General Meeting unless details of the proposal are included in the form of a written letter sent to members no later than three weeks prior to the Meeting.

### 37. ALTERATION OF BASIC OBJECTS

No alteration of the basic objects or purposes of the Association may be made except by resolution of a three quarters majority of Members present and voting at a General Meeting of the Association.

#### Amendments:

6 June 2003 - Rule 12 (2) three months changed to six months.

14 July 2014 – Change of Association name to Newstead Christian School.

13 February 2017 – Multiple changes to Rules:3.1; 4; 5.(1),(a),(b),(c),(d),(e),(f); 5.(2)(j); 8.(2),(3); 9.(1),(2),(3); 9.(3),(5),(b); 10.(2); 11.(3),(4),(5),(b),(c); 12.(5),(d); 13.(2),(4); 17.(1); 22.(b); 23.(2),(4); 25.(6); 26.(d),(h); 30 deleted entire clause; 31; 32.(1),(3),(4),(7); 34.(1)