



honeywood
RESIDENTS GROUP

**Honeywood
Residents Group Inc
Constitution**

VERSION 2.2

1. NAME

The name of the association is the **Honeywood Residents Group** (Inc.).

2. DEFINITIONS

In this constitution, unless the contrary intention appears –

“**AGM**” means annual general meeting of the Association.

“**Committee Meeting**” means meeting referred to in section 7.6

“**Committee Member**” means person referred to in section 7.2.1

“**The Act**” means the Associations Incorporation Act 2015

“**The Association**” means the Association referred to in section 1.

“**The Committee**” means the Committee of management of the Association referred to in section 7.

“**The President**” means, in relation to the proceedings at a Committee meeting or general meeting, the person presiding at the Committee meeting or general meeting in accordance with section 8.

“**The Secretary**” means the person referred to in section 9.

“**The Treasurer**” means the person referred to in section 10.

3. OBJECTIVES of the ASSOCIATION

- 3.1 To advocate for the improvement, maintenance and conservation of the amenities and natural areas of Honeywood Estate and the immediate surrounding area generally known as “suburban Wandii,” bordered by Lyon Road to the East, Rowley Road to the North, Kwinana Freeway to the West and Anketell Road to the South
- 3.2 To raise funds for Honeywood based community amenities/activities.
- 3.3 To promote community effort to enhance the lifestyle of the residents.
- 3.4 To offer residents of Honeywood an opportunity to participate in the development of community projects.
- 3.5 To liaise with other community groups, local and state government departments and appropriate bodies for the benefit of the Honeywood community.
- 3.6 To promote and facilitate recreational needs of the community in Honeywood.
- 3.7 The assets and income of the organisation shall be applied solely in furtherance of the above-mentioned objectives and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

4. STATUS

- 4.1 The status of the Association will be that of a non-profit organisation.

5. INCOME, ASSETS and PROFITS

- 5.1 The property and income of the Association shall be applied solely towards the promotion of the objectives of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member of the association, except in good faith in the promotion of those objectives.
- 5.2 Any assets procured on behalf of the Association or profits made will not be distributed in any form to any members of the Association.

6. MEMBERSHIP

- 6.1 Membership of the Association is open to all adult residents of the Honeywood Estate and surrounding areas in the locality of the suburb of Wandii.
- 6.2 Membership will be deemed to have ceased when a resident no longer resides in Honeywood Estate or the surrounding areas in the locality of the suburb of Wandii.
- 6.3 There shall be only one level of membership of the Association:
 - 6.3.1 Financial Member – a resident of the region who has paid a membership subscription under section 6.5.2.
- 6.4 Register of Members
 - 6.4.1 The Secretary shall on behalf of the Association keep and maintain the register of financial members in accordance with section 53 of the Act and that register shall be so kept and maintained at his or her place of residence.
 - 6.4.2 The Secretary shall cause the name of a person who dies or ceases to be a member under these rules to be deleted from the register of members referred to in section 6.4.1.
- 6.5 Subscriptions of members of the Association
 - 6.5.1 Members from time to time at a general meeting shall determine the amount of subscription to be paid by each member.
 - 6.5.2 Members shall pay an annual subscription fee as determined at the general meeting.

7. THE COMMITTEE

- 7.1 The Committee, subject to the Act or any resolution passed by a general meeting of the Association, will exclusively control and manage the affairs of the Association.
- 7.2 Constitution and Membership
 - 7.2.1 The Committee shall consist of:
 - 7.2.1.1 The President
 - 7.2.1.2 The Treasurer
 - 7.2.1.3 The Secretary
 - 7.2.1.4 The Vice President

- 7.2.2 At least three other members as determined by the committee, all of whom shall be financial members of the Association elected to membership of the Committee under the rules of this constitution.
 - 7.2.3 A person shall not simultaneously hold more than one executive position on the committee, unless in a temporary capacity due to a position being made vacant.
 - 7.2.4 A minimum of 80% of committee members must reside within the bounds of the area classified as “suburban Wandi” bordered by Kwinana Freeway to the West, Rowley Road to the North, Anketell Road to the South and Lyon Road to the East.
- 7.3 Election of Committee Members
- 7.3.1 Executive members shall retain their position for a term of two years.
 - 7.3.2 President and Vice Present positions are to be open for nomination for re-election in alternating years.
 - 7.3.3 Secretary and Treasurer positions are to be open for nomination for re-election in alternating years.
 - 7.3.4 Non-executive committee positions may be created, re-elected or removed and as required by the committee.
 - 7.3.5 Non-executive positions shall be held for a period of one year.
 - 7.3.6 Elections shall be held for relevant positions at the General meeting of every year.
 - 7.3.7 Casual vacancies shall be filled by the committee from member nominations. Such successful candidates will serve out the remainder of the term.
 - 7.3.8 All candidates for positions must be a financial member of the Association.
 - 7.3.9 The committee have the power to form and appoint any sub-committee/s as required for specific purposes from the register of paid members.
 - 7.3.10 In the event of the president position becoming vacant as per clause 7.5.1 the vice president shall resume the position of president and the new vice president shall be appointed by resolution as per clause 7.5.2 and 7.5.3.
- 7.4 Removal of Committee Member
- 7.4.1 The association in general meeting may by resolution remove any member of the committee from office before the expiration of the member’s term of office.
- 7.5 Vacancies
- 7.5.1 A vacancy in the office of a committee member occurs when:
 - 7.5.1.1 The member dies;
 - 7.5.1.2 Ceases to be a resident;
 - 7.5.1.3 Resigns the office in writing;
 - 7.5.1.4 Fails to attend three (3) consecutive meetings without tendering an apology;
 - 7.5.1.5 Removed from office pursuant to sub-clause 7.4.1.
 - 7.5.2 When a vacancy occurs, any financial member may nominate for the position.
 - 7.5.3 If nominations exceed number required, the new member will be determined by a vote of the committee.

7.6 Committee Meetings and Quorum

- 7.6.1 The secretary shall give written notice to each committee member at least 48 hours before the time of a meeting in the form of a proposed agenda.
- 7.6.2 Members shall be considered to have been duly notified in instances where a set meeting was scheduled and agreed upon before the 48-hour notification window.
- 7.6.3 A quorum will be deemed complete if five committee members are present, at least two of whom are executive committee members.

8. THE PRESIDENT

- 8.1 Subject to this section, the President shall preside at all general meetings and Committee meetings.
- 8.2 In the event that the President is absent from a general meeting, a chair shall be elected by other members present at the general meeting.
- 8.3 In the event that the President is absent from a Committee meeting, a chair shall be elected by other committee members present at the Committee meeting.

9. THE SECRETARY

- 9.1 The secretary shall:
 - 9.1.1 Co-ordinate the correspondence of the Association;
 - 9.1.2 Record, or cause to be recorded, the correct minutes of Committee and general meetings;
 - 9.1.3 Comply on behalf of the Association with
 - 9.1.3.1 section 53(1) of the Act in respect of the register of members of the Association
 - 9.1.3.2 section 35(1) of the Act in respect of the rules of the Association; and
 - 9.1.3.3 section 58(2) of the Act in respect of the record of the office holders, and any Trustees, of the Association.
 - 9.1.4 Have custody of all books, documents, records and registers of the Association, including those referred to in paragraph (2), other than those required by section 10. to be kept and maintained by, or in the custody of, the Treasurer; and
 - 9.1.5 Perform such other duties as are imposed by this constitution or the Committee on the Secretary.

10. TREASURER

- 10.1 The Treasurer shall:
 - 10.1.1 Collect and receive all moneys due to the Association and make payments authorised by the Committee.
 - 10.1.2 Keep correct accounts and records showing the financial affairs of the Association with full details of all receipts and payments.
 - 10.1.3 Prepare and submit to the Annual General Meeting a statement of income and expenditure and a balance sheet.

11. ABSENTEES

- 11.1 The office of a member of the Committee shall be vacated if he or she is absent from three (3) consecutive meetings of the Committee without tendered apology.
- 11.2 A member shall be considered present at a meeting if participating via video or audio conference.

12. ANNUAL GENERAL MEETINGS (AGM)

- 12.1 An Annual General Meeting (AGM) shall be held at least once each calendar year, within four months after the end of the Association's financial year.
- 12.2 Members desiring to bring any business before a general meeting must give notice in writing to the Secretary at least 2 days prior.

13. BUSINESS OF ANNUAL GENERAL MEETING (AGM)

- 13.1 The business of the AGM shall include (but not be limited to):
 - 13.1.1 Confirm the minutes of the preceding AGM and any general meeting whose minutes had not been confirmed.
 - 13.1.2 Receive reports from the Committee of the group's activities during the preceding year.
 - 13.1.3 Elect members of the Committee.
 - 13.1.4 Receive and consider the statement of accounts and reports that are required to be submitted to members.

14. CALLING A SPECIAL GENERAL MEETING

- 14.1 The Committee may, whenever it sees fit, call a general meeting of members.
- 14.2 Any financial member may request, in writing, a general meeting be held.
- 14.3 Any requisition for a general meeting shall:
 - 14.3.1 State the purpose of the meeting.
 - 14.3.2 Be signed by the member(s) making the request.
 - 14.3.3 Be supported by a 'petition' containing the names, addresses and telephone numbers and signatures of at least 20% of the current financial members.
 - 14.3.4 Be lodged via a written request with the secretary.
- 14.4 If the Committee fails to convene a general meeting within one (1) month of the date of receipt of such request any one or more of the members making such request may convene a general meeting to be held within three (3) months after the date of such requisition.

15. SPECIAL RESOLUTIONS

- 15.1 As per Section 51(1) of the Act, a special resolution is any resolution passed:
 - 15.1.1 At a General Meeting (Special or Annual); and
 - 15.1.2 By the votes of not less than 75% of the members of the association casting a vote.

16. GENERAL MEETINGS PROCEDURES and QUORUM

- 16.1 For both Annual General Meetings and Special General Meetings:
- 16.1.1 The Committee shall advise members of dates, times and venue at least 14 days prior.
 - 16.1.2 Ten members must be present in person to constitute a quorum.
 - 16.1.3 At least 80% of the members voting must reside within the boundaries of the area known as “suburban Wandl” bordered by Kwinana Freeway on the West, Rowley Road on the North, Lyon Road on the East and Anketell Road on the South in order to pass a special resolution.
 - 16.1.4 If within half an hour of the appointed time for a general meeting a quorum is not present the meeting will stand adjourned until a time, date and place to be agreed.
 - 16.1.5 The general meeting may be held in conjunction with a committee meeting.

17. PRESIDING MEMBER

- 17.1 At all meetings, the President is to preside. In the absence of the president, any other member may preside in accordance with section 8.

18. MAKING DECISIONS

- 18.1 Meeting decisions are made in the main by consensus.
- 18.2 If after serious attempt consensus has not been reached, decisions shall be determined by a majority vote of members present.
- 18.3 In the event of an equality of votes on any matter, the person presiding will exercise a casting vote.
- 18.4 Proxy voting shall not be permitted.
- 18.5 In the case of a dispute between either members, or members and the association, resolution shall be determined using the methods outlined in 18.5.1, 18.5.2, and 18.5.3 in the following order:
- 18.5.1 Discussion between the two parties;
 - 18.5.2 If no resolution is determined within 14 days, an unbiased mediator may be requested by either party;
 - 18.5.3 If no resolution is achieved through mediation, an application may be made to the State Administrative Tribunal to have a dispute determined via arbitration.

19. FINANCIAL YEAR

- 19.1 The financial year of the Association commences on 1st July of each year.

20. SOURCE OF FUNDS

- 20.1 Funds of the Association may be derived from annual subscription fees, sponsorships, donations, fund-raising projects and grants from any appropriate source.
- 20.2 All moneys received are to be deposited as soon as practicable in the Association’s bank account.

21. MANAGEMENT OF FUNDS

- 21.1 Subject to any resolution passed by the Association in general meeting, the funds of the Association shall be used in pursuance of the objectives of the Association in such manner as the Committee determines.
- 21.2 All cheques, electronic transfers to third parties, drafts, bills of exchange and other negotiable instruments must be signed (either physically or electronically) by at least two of the following committee members authorised to do so by the Committee:
 - 21.2.1 President
 - 21.2.2 Vice President
 - 21.2.3 Secretary
 - 21.2.4 Treasurer

22. AUDIT

- 22.1 It is not mandatory for the financial records of the Association to be audited regularly however the association may elect to perform an audit where necessary via special resolution.
- 22.2 If an audit is required it must be undertaken by a person who is not on the Committee and who has not helped prepare the accounts.

23. CUSTODY OF BOOKS

- 23.1 The Secretary must keep in his or her control all records and other documentation relating to the Association, except financial documents, which shall be kept by the Treasurer.

24. RULES OF THE ASSOCIATION

- 24.1 The Association may alter or rescind these rules, or make rules additional to these rules, via special resolution and by otherwise complying with Part 3 Division 2 of the Act.
- 24.2 These rules bind every member and the Association to the same extent as if every member and the Association had signed and sealed these rules and agreed to be bound by all the provisions.

25. INSPECTION OF THE RECORDS

- 25.1 A member may, at any reasonable time, inspect without charge the books, documents, records and securities of the Association. All such requests shall be in writing and addressed to the Secretary.

26. DISSOLUTION

- 26.1 The Association may be wound up voluntarily at any time at any time by 'Special Resolution' if agreed by three-fourths of those members present and voted on at any General Meeting.
- 26.2 At the time of special resolution of the Association, should any assets or funds be in surplus after all debts have been paid, such assets or funds will be donated to an Association incorporated under the Associations Incorporation Act 2015 which has similar objectives, or for charitable purposes as determined by the executive committee.

27. COMMON SEAL

- 27.1 The Association does not have a common seal.