

**Northern Territory of Australia**  
**Oaths, Affidavits and Declarations Act 2010**  
**Statutory Declaration**

(1)  
Insert name of  
person making  
declaration

I, (1) Kevin Everett

(2)  
Address

of (2) 5 Van Senden Ave, Gillen, NT 0870

do solemnly and sincere declare:

(3)  
Insert name of  
association (old  
name)

1. I am the Public Officer of

(3) 8CCC Community Radio

Incorporated

2. The following special resolutions to amend the association's constitution ~~and/or change the name of the association was/were~~ passed in accordance with the constitution at a meeting held on:

(4)  
Insert date of  
meeting

(4) 29th November 2025

(5) **Resolution:**

~~a) To change the associations name to:~~

Incorporated and/or

(5) insert new  
name approved by  
the members

b) The constitution (a copy of which is attached at annexure "A") be adopted.

3. The amended constitution complies with the *Associations Act 2003*

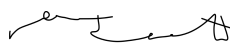
I make this solemn declaration by virtue of the *Oaths, Affidavits and Declarations Act 2010* and conscientiously believing the statements contained in this declaration and accompanying application to be true in every particular.

Declared at Alice Springs, Northern Territory

(6)  
Today's date

on: (6) 1st December 2025

(7)  
Signature of the  
person making the  
declaration

(7) 

(8)  
Signature of the  
witness

Before me:

(8) Be

Name and contact address and telephone number of person before whom the declaration is made, legibly written, typed, or stamped.

(9)  
Name of witness

(9) Benjamin Erin

(10)  
Address of witness

(10) 22 Willshire St, The Gap, NT 0870

(11)  
Telephone number  
of witness

(11) 0416 400 483

**Note:**

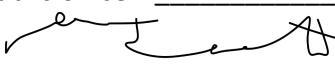
- This declaration may be made before any person who has attained the age of (18) eighteen years.
- A person wilfully making a false statement in a statutory declaration is liable to a fine or imprisonment.

# Constitution of 8CCC Community Radio Incorporated




This is the annexure marked "A" referred to in the statutory declaration of:

Name of public officer: Kevin Everett

Signature: 

Before (witness): Benjamin Erin

Signature (witness): 

Date: 1st December 2025

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## Part 1 — Preliminary

### 1. Name

The name of the incorporated association ("the Association") is 8CCC Community Radio Incorporated.

### 2. Objects and purposes

The objects and purposes of the Association are as follows:

- a) Promote and foster arts, music and culture, representing a diverse community and multicultural voice, through radio broadcast and digital media;
- b) Endeavour to enrich people's lives with a diversity of programs and services that inform, educate, entertain and support the development and quality of our lives; and
- c) To involve and service Central Australia, the Barkly Region, and broader Northern Territory communities with unique services, programming and content that is not readily available in the commercial broadcasting arena.

### 3. Minimum number of members

The Association must have at least 10 members.

### 4. Definitions

In this Constitution, unless the contrary intention appears:

"Act" means the Northern Territory Associations Act 2003 and regulations made under that Act;

"Board" means the Management Board of the Association;

"financial institution" means an authorised deposit-taking institution within the meaning of section 5 of the Banking Act 1959 of the Commonwealth;

"general meeting" means a general meeting of members convened in accordance with part 6;

"member" means a member of the Association;

"register of members" means the register of the Association's members established and maintained under section 34 of the Act;

"special resolution" means a resolution notice of which is given under clause 43 and passed in accordance with section 37 of the Act.

## Part 2 — Constitution and Powers of Association

### 5. Powers of Association

- a) For achieving its objects and purposes, the Association has the powers conferred by sections 11 and 13 of the Act.
- b) Subject to the Act, the Association may do all things necessary or convenient for carrying out its objects or purposes, and in particular, may:
  - i) acquire, hold and dispose of real or personal property;
  - ii) open and operate accounts with financial institutions;
  - iii) invest its money in any security in which trust monies may lawfully be invested;
  - iv) raise and borrow money on the terms and in the manner it considers appropriate;
  - v) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
  - vi) appoint agents to transact business on its behalf;
  - vii) enter into any other contract it considers necessary or desirable;
  - viii) construct, maintain and alter building works necessary or convenient;
  - ix) accept gifts, whether subject to a special trust or not;
  - x) procure contribution to the funds of the Association, whether by way of donation, subscription or otherwise;
  - xi) print and publish newspapers, periodicals, books, leaflets, or other documents;
  - xii) make gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which paragraph (a) or subsection (1) of section 78 of the Income Tax Assessment Act 1936, as amended, of the Commonwealth relates; and;
  - xiii) do 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 objects and purposes specified in the foregoing provisions.
- c) It must not pay any of its profits or financial surplus, or give any of its property, to its members, beneficiaries, controllers or owners (as appropriate).

## 6. Effect of Constitution

This Constitution binds every member and the Association to the same extent as if every member and the Association had signed and sealed this Constitution and agreed to be bound by it.

## 7. Inconsistency between the Constitution and the Act

If there is any inconsistency between this Constitution and the Act, the Act prevails.

## 8. Altering the Constitution

The Association may alter this Constitution by special resolution but not otherwise.

If the Constitution is altered, the public officer must ensure compliance with section 23 of the Act.

## **Part 3 — Members**

### *Division 1 - Membership*

#### **9. Application for membership**

Membership categories are defined by the 8CCC membership policy. To apply to become a member of the Association, a person must:

- a) Submit an application for membership to the Board in a format approved by the Board;
- b) Pay the annual membership fee.

#### **10. Annual membership fees**

- a) The annual membership fee is the amount determined from time to time by resolution at a general meeting.
- b) A membership is valid for 12 months from the date of payment
- c) A member whose membership fee is not paid within 1 month after the due date ceases to be a member unless the Board determines otherwise.

#### **11. Life Membership**

- a) Life membership can be awarded to members who have made outstanding contributions to the Association. Rights and Cancellation for Life Members are the same as Regular Members of the Association, with the exception of section 10; requirement of paying annual membership fees.
- b) Any member can nominate someone for life membership, but the nomination must be supported by at least two Board members in writing. The Board will then review and decide if the nomination is endorsed.

### *Division 2 — Rights of members*

#### **12. General**

- a) Subject to clause 13 (b), a member may exercise the rights of membership when their name is entered in the register of members.

- b) A right of membership of the Association:
  - i) cannot be transferred or transmitted to another person; and
  - ii) terminates on the cessation of membership whether by death, resignation or otherwise.

### 13. Voting

- a) Subject to subclause 12(b) and division 3, each member has one vote at general meetings of the Association.
- b) A member is not eligible to vote until 5 working days after their application has been accepted.
- c) A member whose membership fee has lapsed is not eligible to vote.

### 14. Access to information on Association

The following must be available for inspection by members:

- a) a copy of this Constitution;
- b) minutes of general meetings;
- c) annual reports and annual financial reports.

## *Division 3 — Termination, death, suspension and expulsion*

### 15. Termination of membership

Membership of the Association may be terminated by:

- a) notice of resignation provided to the Secretary;
- b) non-payment of the annual membership fee within the time allowed under clause 10(c);
- c) expulsion in accordance with this Division; or,
- d) Death.

### 16. Suspension or expulsion of members

- a) If the Board considers that a member should be suspended or expelled because their conduct is detrimental to the interests of the Association as determined by the Board, the Board must give notice of the proposed suspension or expulsion to the member.

- b) The notice must be in writing and include:
  - i) the time, date and place of the Board meeting at which the question of that suspension or expulsion will be decided; and
  - ii) the particulars of the conduct; and
  - iii) be given to the member not less than 14 days before the date of the Board meeting referred to in paragraph (16a).
- c) At the meeting, the Board must give the member a reasonable opportunity to be heard or to make representations in writing
- d) The Board may suspend or expel or decline to suspend or expel the member from the Association and must give written notice of the decision and the reason for it to the member.
- e) Subject to clause 17, the decision to suspend or expel a member takes effect 14 days after the day on which notice of the decision is given to the member.

## 17. Appeals against suspension or expulsion

- a) A member who is suspended or expelled under clause 16 may appeal against that suspension or expulsion by giving notice to the Secretary within 14 days after receipt of the Board's decision.
- b) The appeal must be considered at a general meeting of the Association and the member must be afforded a reasonable opportunity to be heard at the meeting or to make representations in writing prior to the meeting for circulation at the meeting.
- c) The members present at the general meeting must, by resolution, either confirm or set aside the decision of the Board to suspend or expel the member.
- d) The member is not suspended or does not cease to be a member until the decision of the Board to suspend or expel the member is confirmed by a resolution of the members.
- e) If a member has gone through the appeals process and remains expelled, they cannot apply again to be a member.

## **Part 4 — The Board**

### *Division 1 — General*

#### **18. Role and powers**

- a) The business of the Association must be managed by or under the direction of a Board.
- b) The Board may exercise all the powers of the Association except those matters that the Act or this Constitution requires the Association to determine through a general meeting of members.
- c) The Board may appoint and remove staff.
- d) The Board may establish one or more sub-committees.

#### **19. Composition of Board**

- a) The Board consists of between 5 to 9 members:
  - i) Officers of the Association: Chairperson, Vice Chairperson, Treasurer and Secretary;
  - ii) Ordinary board members;
  - iii) The station manager, or equivalent thereof, ex officio, with no voting rights.
- b) Election of board members to positions of Officers of the Association is to be undertaken by the board:
  - i) At the first meeting following an Annual General Meeting;
  - ii) At the first meeting following an Office being vacated.
- c) Unless elected directly as a separate office holder, the Board must appoint one Board member to be the Association's public officer.

#### **20. Delegation**

- a) The Board may delegate to a sub-committee or staff any of its powers and functions other than:
  - i) this power of delegation; or
  - ii) a duty imposed on the Board by the Act or any other law.

- b) The delegation must be in writing and may be subject to the conditions and limitations the Board considers appropriate.
- c) The Board may, in writing, revoke wholly or in part the delegation.

## *Division 2 — Tenure of office*

### 21. Eligibility of Board members

- a) A Board member must be a financial member of 8CCC Community Radio.
- b) Board members must be elected to the Board at an annual general meeting or appointed under clause 28.

### 22. Nominations for election to Board

- a) A member is not eligible for election to the Board unless the Secretary receives a written nomination for that member not less than 5 days before the date of the next annual general meeting.
- b) The nomination must be signed by:
  - i) the nominator; and
  - ii) the nominee to signify their willingness to stand for election.
- c) A person who is eligible for election or re-election under this clause may:
  - i) propose themselves for election or re-election; and
  - ii) vote for themselves.

### 23. Election

- a) The number of vacancies to be filled is to be determined by the board prior to advertising the AGM, in reference to:
  - i) Section 19
  - ii) The number of continuing board members (see section 25);
  - iii) The requirements and activity of the board moving forward.
- b) If the number of written nominations for election to the Board under clause 22 does not exceed the number of vacancies to be filled, the Chairperson must declare the persons to be duly elected as members of the Board at the annual general meeting.

- c) If the written nominations exceed the number of remaining vacancies, the written nominations shall be elected by ballot (see section 24).
- d) If vacancies remain on the Board after the declaration following section 23(b-c), additional nominations of Board members may be accepted from the floor of the annual general meeting.
- e) If the nominations from the floor do not exceed the number of remaining vacancies, the Chairperson must declare those persons to be duly elected as members of the Board.
- f) If the nominations from the floor exceed the number of remaining vacancies, the floor nominations shall be elected by ballot (see section 24).
- g) If the following 23 (b-f), there remain unfilled vacancies these are taken to be casual vacancies and may be filled by the new Board in accordance with clause 28.

#### 24. Election by ballot

- a) If the number of nominations exceeds the number of vacancies on the Board, ballots for those positions must be conducted.
- b) The ballot must be conducted in a manner determined from time to time by resolution at a general meeting.
- c) The members chosen by ballot must be declared by the Chairperson to be duly elected as members of the Board.

#### 25. Board terms

- a) Each board member holds office for a term of 2 years, and no more than 3 consecutive terms (total of 6 years) are to be served after which a period of two years shall elapse before re-nomination to the board. A maximum of another 6 years total can then be served.
- b) The member may choose to vacate office under clause 26 or may be removed under clause 27.
- c) At an annual general meeting where the term of office for Board members expires those positions become vacant and elections must be held.
- d) The Chairperson of the outgoing Board must preside at the annual general meeting until a new member is elected as Chairperson.

## 26. Vacating office

The office of a Board member becomes vacant if:

- a) the member:
  - i) is disqualified from being a Board member under section 30 or 40 of the Act;
  - ii) resigns by giving written notice to the Board;
  - iii) dies or is rendered permanently incapable of performing the duties of office by mental or physical ill-health;
  - iv) ceases to be a member of the Association;
  - v) is absent from more than 3 consecutive Board meetings, or
  - vi) from more than 3 Board meetings in the same financial year without tendering an apology to the Chairperson of which meetings the member received notice.

If any of the clauses for 26(a) are met the Board may resolve to declare the office vacant and the position is to be filled following clauses 19(b) and 28.

## 27. Removal of Board member

- a) The Association, through a special general meeting of members, may remove any Board member before the member's term of office ends.
- b) If a vacancy arises through removal under sub-clause 27(a), an election must be held to fill the vacancy.

## 28. Filling casual vacancy on Board

- a) If a vacancy remains on the Board after the application of clause 26 or if the office of a Board member becomes vacant under clause 27, the Board may appoint any member of the Association to fill that vacancy.
- b) However, if the office of public officer becomes vacant, a person must be appointed under section 27(6) of the Act to fill the vacancy.
- c) Casual filling of vacancies are considered temporary, and the board member should seek election at the following AGM. If elected, their term (according to 25 (a)) commences following that election as would any other board member elected at that date.

## *Division 3— Duties of Board members*

### 29. Collective responsibility of Board

- a) As soon as practicable after being elected to the Board, each Board member must become familiar with the Act and regulations made under the Act.
- b) The Board is collectively responsible for ensuring the Association complies with the Act and regulations made under the Act.

### 30. Chairperson and Vice-Chairperson

- a) Subject to subclauses 30(b-c), the Chairperson must preside at all general meetings and Board meetings.
- b) If the Chairperson is absent from a meeting, the Vice-Chairperson must preside at the meeting.
- c) If the Chairperson and the Vice-Chairperson are both absent, the presiding member for that meeting must be:
  - i) a member elected by the other members present if it is a general meeting; or
  - ii) a Board member elected by the other Board members present if it is a Board meeting.

### 31. Secretary

The Secretary must:

- a) coordinate the correspondence of the Association;
- b) ensure minutes of all proceedings of general meetings and of Board meetings are kept in accordance with section 38 of the Act;
- c) ensure the register of members is maintained in accordance with section 34 of the Act;
- d) ensure the safekeeping of all books, documents, records and registers of the Association, other than those required by clause 32(d) to be overseen by the Treasurer; and
- e) perform any other duties imposed by this Constitution on the Secretary.

### 32. Treasurer

- a) The Treasurer must ensure the accounting records and financial management of the Association are in accordance with section 41 of the Act and 8CCC Policies and Procedures.
- b) The Treasurer must coordinate the preparation of the Association's annual statement of accounts.
- c) If directed to do so by the Chairperson, the Treasurer must submit to the Board a report, balance sheet or financial statement in accordance with that direction.
- d) The Treasurer has oversight of all securities, books and documents of a financial nature and accounting records of the Association unless the members resolve otherwise at a general meeting.
- e) The Treasurer must perform any other duties imposed by this Constitution on the Treasurer.

### 33. Public officer

- a) The public officer must ensure that documents are filed in accordance with the Act.
- b) The public officer must keep a current copy of the Constitution of the Association.

## **Part 5 — Meetings of Management Board**

### **34. Frequency and calling of meetings**

The Board must meet for the conduct of business not less than 4 times in each financial year.

- a) The Chairperson, or at least half the Board members, may at any time convene a special meeting of the Board.
- b) A special meeting may be convened to deal with an appeal under clause 17.

### **35. Voting and decision making**

- a) Each Board member present at the meeting has a vote.
- b) A question arising at a Board meeting must be decided by a majority of votes.
- c) If there is no majority, the person presiding at the meeting has a casting vote.

### **36. Quorum**

For a Board meeting, one-half, plus one of the Board members constitutes a quorum.

### **37. Procedure and order of business**

- a) The procedure to be followed at a Board meeting must be determined by the Board.
- b) The order of business may be determined by the members present at the meeting.
- c) Only the business for which the meeting is convened may be considered at a special meeting.

### **38. Disclosure of interest**

- a) Board members must disclose any real or perceived conflicts of interest.
- b) A Board member who has a direct or indirect financial interest in a contract, or proposed contract, with the Association must disclose the nature and extent of the interest to the Board in accordance with section 31 of the Act.
- c) The Secretary must record the disclosure in the minutes of the meeting.
- d) The Chairperson must ensure a Board member who has a direct or indirect financial interest in a contract, or proposed contract, complies with section 32 of the Act.

### 39. Circular Resolutions

- a) A resolution in writing signed or otherwise approved by all members of the Board shall be as valid and effectual as if it had been passed at a duly convened meeting of the Board.
- b) The resolution may be circulated by email, electronic platform, or other agreed means, and may consist of one or more documents containing the same resolution, each signed or approved by one or more Board members.
- c) Each Board member must be given a reasonable opportunity to consider the resolution before approval is requested.
- d) The resolution shall be deemed passed on the date the last required approval is received, unless a later effective date is specified in the resolution.
- e) Resolutions passed in this way must be recorded in the minutes of the next Board meeting.

## Part 6 — General Meetings

### 40. Convening general meetings

- a) The Association must hold its first annual general meeting within 18 months after its incorporation.
- b) The Association must hold all subsequent annual general meetings within 5 months after the end of the Association's financial year.
- c) The Board:
  - i) may at any time convene a special general meeting;
  - ii) must, within 30 days after the Secretary receives a notice under clause 18, convene a special general meeting to deal with the appeal to which the notice relates; and
  - iii) must, within 30 days after it receives a request under clause 41(a), convene a special general meeting for the purpose specified in that request.

### 41. Special general meetings

- a) Members, amounting to the number of existing board members plus one, may make a written request to the Board for a special general meeting unless otherwise provided in the Schedule.
- b) The request must:
  - i) state the purpose of the special general meeting; and
  - ii) be signed by the members making the request.
- c) If the Board fails to convene a special general meeting within the time allowed:
  - i) for clause 40(c)(ii) — the appeal against the decision of the Board is upheld; and
  - ii) for clause 40(c)(iii) — the members who made the request may convene a special general meeting as if they were the Board.
- d) If a special general meeting is convened under subclause 41(c)(ii), the Association must meet any reasonable expenses of convening and holding the special general meeting.
- e) The Secretary must give to all members not less than 14 days notice of a special general meeting.
- f) The notice must specify:

- i) when and where the meeting is to be held; and
- ii) the particulars of and the order in which business is to be transacted.

#### 42. Annual General Meeting

- a) The Secretary must give to all members not less than 14 days notice of an annual general meeting unless otherwise provided in the Schedule.
- b) The notice must specify:
  - i) when and where the meeting is to be held; and
  - ii) the particulars of and the order in which business is to be transacted.
- c) The order of business for each annual general meeting is as follows:
  - i) first the consideration of the accounts and reports of the Board;
  - ii) second — the election of new Board members (see 23);
  - iii) third — any other business requiring consideration by the Association at the meeting.

#### 43. Special resolutions

- a) A special resolution may be moved at any general meeting of the Association.
- b) The Secretary must give all members not less than 21 days' notice of the meeting at which a special resolution is to be proposed unless otherwise provided in the Schedule.
- c) The notice must include the resolution to be proposed and the intention to propose the resolution as a special resolution.

#### 44. Notice of meetings

- a) The Secretary must give a notice under this Part by:
  - i) serving it on a member personally; or
  - ii) serving it on a member electronically; or
  - iii) sending it by post to a member at the address of the member appearing in the register of members.
- b) If a notice is sent by post under sub-clause 44(a)(iii), sending of the notice is taken to have been properly affected if the notice is addressed and posted to the member by ordinary prepaid mail.

## 45. Quorum at general meetings

At a general meeting, twice the number of existing Board members plus one constitutes a quorum.

## 46. Lack of quorum

- a) If within 30 minutes after the time specified in the notice for the holding of a general meeting a quorum is not present —
  - i) for an annual general meeting or special general meeting convened under clause 40(c)(i) — the meeting stands adjourned to the same time on the same day in the following week and to the same place;
  - ii) for a meeting convened under clause 40(c)(ii) — the members who are present in person or by proxy may proceed with hearing the appeal for which the meeting is convened; or
  - iii) for a meeting convened under clause 42 the meeting lapses.
  - iv) If within 30 minutes after the time appointed by subclause 46(a)(i) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person or by proxy may proceed with the business of that general meeting as if a quorum were present.
- b) The Chairperson may, with the consent of a general meeting at which a quorum is present, and must, if directed by the members at the meeting, adjourn that general meeting from time to time and from place to place.
- c) There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.
- d) If a general meeting is adjourned for a period of 30 days or more, the Secretary must give notice of the adjourned general meeting as if that general meeting were a fresh general meeting.

## 47. Voting

- a) Subject to clauses 12 and 13, each member present in person or by proxy at a general meeting is entitled to a deliberative vote.

- b) At a general meeting:
  - i) an ordinary resolution put to the vote is decided by a majority of votes made in person or by proxy; and
  - ii) a special resolution put to the vote is passed if three-quarters of the members who are present in person or by proxy vote in favour of the resolution.
- c) A poll may be demanded by the Chairperson or by 3 or more members present in person or by proxy.
- d) If demanded, a poll must be taken immediately and in the manner the Chairperson directs.

#### 48. Proxies

A member may appoint, in writing, another member to be the proxy of the appointing member to attend and vote on behalf of the appointing member at any general meeting. No member can represent more than one proxy member.

## Part 7 — Financial Management

### 49. Financial year

The financial year of the Association is the period of 12 months ending on 30 June.

### 50. Funds and accounts

- a) The Association must open one or more accounts with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
- b) Subject to any restrictions imposed by the Association at a general meeting, the Board may approve expenditure on behalf of the Association within the limits of the budget.
- c) All funds of the Association must be deposited into the financial account/s of the Association no later than 5 working days after receipt or as soon as practicable after that day.
- d) With the approval of the Board, the Treasurer or an appointed delegate may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.
- e) The assets and income of the organisation shall be applied solely to further its objects and no portion shall be distributed directly or indirectly to the members of the organisation except as genuine compensation for services rendered or expenses incurred on behalf of the organisation.
- f) The association will establish and maintain a public fund. This fund will be subject to the following:
  - i) Donations will be deposited into the public fund listed on the Register of Cultural Organisations. These monies will be kept separate from other funds of the association and will only be used to further the principal purpose of the Association. Investment of monies in this fund will be made in accordance with guidelines for public funds as specified by the ATO.
  - ii) The public will be invited to contribute to the fund.

- iii) The fund will be administered by a management committee or a subcommittee of the management committee, the majority of whom, because of their tenure of some public office or their professional standing, have an underlying community responsibility, as distinct from obligations solely in regard to the cultural objectives of 8CCC Community Radio Incorporated.
- iv) No monies/assets in this fund will be distributed to members or office bearers of the Association, except as reimbursement of out-of-pocket expenses incurred on behalf of the fund or proper remuneration for administrative services.
- v) The Department responsible for the administration of the Register of Cultural Organisations will be notified of any proposed amendments or alterations to provisions for the public fund, to assess the effect of any amendments on the public fund's continuing Deductible Gift Recipient status.
- vi) Receipts for gifts to the public fund must state:
  - the name of the public fund and that the receipt is for a gift made to the public fund;
  - the Australian Business Number of the company;
  - the fact that the receipt is for a gift; and
  - any other matter required to be included on the receipt pursuant to the requirements of the Income Tax Assessment Act 1997.
- vii) If upon the winding-up or dissolution of the public fund listed on the Register of Cultural Organisations, there remains after satisfaction of all its debts and liabilities, any property or funds, the property or funds shall not be paid to or distributed among its members, but shall be given or transferred to some other funds, authority or institution having objects similar to the objects of this public fund, which is charitable at law, and whose rules shall prohibit the distribution of its or their income among its or their members, such fund, authority or institution to be eligible for tax deductibility of donations under Subdivision 30-B, section 30-100, of the Income Tax Assessment Act 1997 and listed on the Register of Cultural Organisations maintained under the Act.

- g) The company must comply with any rules that the Treasury Minister or the Minister for the Arts make to ensure that gifts made to the public fund will only be used for the company's principal purpose.
- h) The company must provide to the Department responsible for the administration of the Register of Cultural Organisations statistical information on the gifts made to the public fund every 6 months.

## 51. Audits

The responsibility of the Board for ensuring compliance with the Act includes meeting the requirements of Part 5 of the Act and regulations made for that Part relating to:

- a) the keeping of accounting records;
- b) the preparation and presentation of the Association's annual statement of accounts; and
- c) the auditing of the Association's accounts.

## **Part 8 — Grievance and disputes**

### 52. Grievance and disputes procedures

- a) This clause applies to disputes between:
  - i) a member and another member; or
  - ii) a member and the Board.
- b) Within 14 days after the dispute comes to the attention of the parties to the dispute the board must be notified and action must be taken to attempt to resolve the dispute
- c) The procedure for grievance and dispute resolution will be determined by the Board and set out within policy and procedure
- d) If the mediation or investigation process does not result in the grievance or dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

## Part 9 — Miscellaneous

### 53. Common seal

- a) The common seal of the Association must not be used without the express authority of the Board and every use of that common seal must be recorded by the Secretary.
- b) The affixing of the common seal of the Association must be witnessed by any 2 of the following:
  - iii) the Chairperson;
  - iv) the Secretary;
  - v) the Treasurer.
- c) The common seal of the Association must be kept in the custody of the Secretary or another person the Board from time to time decides.