
CONSTITUTION OF THE BELCONNEN COMMUNITY COUNCIL INCORPORATED

AS ADOPTED 22 JULY 2025

Preamble

The Belconnen district has many community groups, associations, organisations and clubs. All have specific functions by which they cater for differing needs in the community. Although there may sometimes seem to be similarities, even duplication, of purpose, each provides a valuable community service and greatly benefits Belconnen as a whole.

At the same time, this wide divergence of activity can limit collective effectiveness. The role of the Belconnen Community Council (BCC) is to focus this local community effort into a cohesive, strong and active forum that is truly representative of the people of Belconnen.

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Part 1 Preliminary

1. Name of the Association

The name of the Association is Belconnen Community Council Incorporated (hereinafter referred to as 'BCC').

2. Objectives

The objects of the BCC are to:

- foster a community identity
- provide a local forum
- provide a strong local voice to ensure the interests of the Belconnen community are promoted when commenting on government strategic policy initiatives
- address matters of local concern
- ensure that legislators and officials are fully informed of community needs and expectations
- establish communications locally and regularly
- initiate, support and undertake any appropriate action advantageous for the community or any community group approved by the BCC
- ensure that party politics do not impede or override community wishes as conveyed to BCC
- preserve all facilities and services expected by the community
- maintain and improve the quality of life in Belconnen.

Note The objects of the BCC are the objects appearing in the statement of the BCC objects lodged with the registrar (see Act, s 29). The BCC may alter its objects by special resolution (see Act, s 30).

3. Definitions

In this Constitution the following terms have the following defined meanings:

<i>ACT</i>	the Australian Capital Territory
<i>Belconnen</i>	the area of the Australian Capital Territory that is described by the Australian Capital Territory Planning and Land Authority as the District of Belconnen as shown on the Belconnen District Precinct Map within the Territory Plan.
<i>Documents</i>	Any record of information, and includes: <ul style="list-style-type: none">a) Anything on which there is writing; orb) anything on which there are figures, marks, numbers, perforations, symbols or anything else having a meaning for people qualified to interpret them; orc) anything from which images, sounds, messages or writings can be produced or reproduced, whether with or without the aid of anything else; ord) a drawing, map, photograph or plan.

	Note This definition includes documents recorded in a digital form.
<i>Financial year</i>	The year beginning 1 July and concluding 30 June the following calendar year.
<i>General meeting</i>	A public meeting which may be an Ordinary General Meeting, a Special General Meeting or an Annual General Meeting (AGM).
<i>Member or member of the BCC</i>	A registered member of the BCC who holds a current membership in accordance with this Constitution.
<i>Ordinary Committee Member</i>	A member of the Committee who does not hold an executive position. Note Executive positions are defined in paragraph 23(b)
<i>Ordinary General Meeting</i>	A meeting convened in accordance with paragraph 35.
<i>Secretary</i>	The person holding office under this Constitution as Secretary of BCC or, if no such person holds that office, the BCC's Public Officer.
<i>Act</i>	The <i>Associations Incorporation Act 1991</i> (ACT).
<i>Regulation</i>	The <i>Associations Incorporation Regulation 2023</i> (ACT).
	Note Where a term is not defined in this Constitution it is to be defined in accordance with the Legislation Act 2001 .

4. **Application of the *Legislation Act 2001* (ACT)**

The *Legislation Act 2001* (ACT) applies to this Constitution in the same way as it would if it were an instrument made under it.

Part 2 Membership

5. Eligibility for Membership

- (a) Eligible persons may apply for membership of the BCC.
- (b) An eligible person is a person who:
 - (i) resides in Belconnen; or
 - (ii) holds a lease over property located in Belconnen; or
 - (iii) owns or operates a business or other establishment in Belconnen; or
 - (iv) is employed in a business, government department or other establishment in Belconnen; or
 - (v) is a student in a secondary college or tertiary institution in Belconnen.
- (c) A person who does not satisfy the eligibility criteria in sub-paragraph 5(b), but declares they have a substantial interest in Belconnen affairs, may make a written request to the Committee for an exemption from the eligibility requirements.
- (d) If the exemption is granted pursuant to an application under sub-paragraph 5(c), the Committee shall provide written advice to the person that they lodge an application for membership.
- (e) If the exemption is not granted pursuant to an application under sub-paragraph 5(c), the Committee shall provide written advice to the person that they cannot make an application for membership.

6. Application for Membership

- (a) An application for membership of the BCC must:
 - (i) be in writing using the prescribed form;
 - (ii) bear the agreement of the applicant to be bound by this Constitution;
 - (iii) be lodged with the Secretary or other Committee member as determined by the Committee; and
 - (iv) not be accepted during the period commencing at midnight on the date that nominations for Committee positions are declared open until the conclusion of the AGM.
- (b) The prescribed form referred to in sub-paragraph 6(a)(i) shall be made available online on the BCC website.
- (c) If the prescribed form referred to in sub-paragraph 6(a)(i) is a digital form, the BCC must provide an equivalent form in hard copy to a person seeking to apply for membership upon a request made by that person to the Secretary or Public Officer.
- (d) Upon receipt of an application for membership where the applicant meets the requirements for membership in paragraph 5, the Secretary shall, as soon as practicable:
 - (i) enter the name of the member in the Register of Members; and
 - (ii) advise the member of the date their membership commenced.

7. Register of Members

- (a) A register of members of BCC shall be maintained, including the following details:
- (i) the name of the person;
 - (ii) the email address or other contact address;
 - (iii) residential suburb;
 - (iv) basis for entitlement to membership;
 - (v) the date the membership commenced; and
 - (vi) if the membership has ceased, the date the membership ceased.
- (b) Pursuant to the Act, the Register of Members may be inspected by any member of BCC in accordance with the manner laid out in paragraph 46 of this Constitution

8. Membership Entitlements Not Transferable

A right, privilege or obligation that a person has because of their membership of BCC:

- (a) cannot be transferred or transmitted to another person; and
- (b) terminates on cessation of the person's membership.

9. Cessation of Membership

- (a) A person ceases to be a member of the BCC if the member:
- (i) dies;
 - (ii) gives written notice of resignation to the Secretary;
 - (iii) is expelled by a resolution of the Committee;
 - (iv) is no longer meeting the eligibility requirements for membership as outlined in paragraph 5; or
 - (v) is not physically or mentally fit to exercise the functions of membership.
- (b) Where a person's membership ceases under sub-paragraph 9(a)(iv) or 9(a)(v), the Committee may determine the date the person's membership ceased when the date the person's membership ceased is not clear.

10. Members' Liability

The liability of members is limited. No individual member of BCC is liable for any debts or liabilities incurred by BCC.

Part 3 Disputes and Disciplining of Members

11. Application

This division sets out the dispute resolution procedure for dealing with a dispute under the Act or the Association's rules between—

- (a) a member and another member; or
- (b) a member and the Committee.

12. Meaning of *party* to a dispute for the purpose of Part 3

1. In this part, a *party*, to a dispute, means—

- (a) if the dispute is between members—the members; or
- (b) if the dispute is between a member and the Committee—the member and the Committee.

Note A member may appoint someone to act on their behalf in the dispute resolution procedure

13. Resolving dispute by agreement

- (a) The parties to a dispute must attempt to resolve the dispute by agreement between themselves.
- (b) A party to the dispute may ask the Committee to help the parties resolve the dispute by agreement if—
 - (i) the Committee is not a party to the dispute; and
 - (ii) the parties are unable to resolve the dispute between themselves.

14. Dispute resolution procedure—starting the procedure

- (a) If the parties to a dispute do not resolve the dispute by agreement under paragraph 13, any party to the dispute may start the dispute resolution procedure by giving written notice to the Committee.

Note A member who is the subject of a disciplinary procedure must not start a dispute resolution procedure in relation to the same matter until the disciplinary procedure (including any appeal) is complete

- (b) The notice must—
 - (i) include the names and contact details of the parties to the dispute; and
 - (ii) give a brief summary of the matters in dispute (a dispute summary) including the relevant provisions of the Act and the Association's rules (if known); and
 - (iii) briefly state the steps the parties have taken to resolve the dispute.

15. Dispute resolution procedure—appointing decision-maker

- (a) As soon as practicable after receiving a notice under paragraph 14, the Committee must appoint a decision-maker to decide the outcome of the dispute.
- (b) The Committee must ensure that the decision-maker—

- (i) is unbiased; and
- (ii) has, or can quickly acquire, knowledge of the following:
 - (1) the Act;
 - (2) the Association's rules;
 - (3) the Association's objects;
 - (4) the management and operation of the Association; and
 - (5) does not have a conflict of interest.

(c) The Committee must give the decision-maker a copy of the notice.

16. Dispute resolution procedure—notice to parties about decision-maker

(a) As soon as practicable after a decision-maker is appointed under paragraph 15, the secretary must give written notice to each party to the dispute that the dispute resolution procedure has started.

(b) However, if the Committee is a party to the dispute, the secretary is not required to give the Committee notice under sub-paragraph 16(a).

(c) The notice must include—

- (i) a copy of the dispute summary for the dispute; and
- (ii) the name and contact details of the decision-maker; and
- (iii) information about the dispute resolution procedure.

17. Dispute resolution procedure—opportunity to be heard

(a) Before deciding the outcome of a dispute, the decision-maker must invite each party to make a written or oral submission (or both) about the dispute.

(b) The invitation must state—

- (i) if the decision-maker invites the parties to make a written submission—a period of not less than 14 days in which a party may make a written submission (the submission period); and
- (ii) if the decision-maker invites the parties to make oral submissions—the day and time (within the submission period) when the party can make their oral submissions.

(c) The decision-maker may also attempt to resolve the dispute with the agreement of the parties to the dispute.

18. Dispute resolution procedure—outcome

As soon as practicable after the submission period has ended, the decision-maker must—

(a) Consider any submissions received by the decision-maker during the submission period; and

(b) Decide the outcome of the dispute (the dispute decision); and

(c) Give the parties to the dispute a written notice stating—

- (i) the dispute decision; and
- (ii) the reasons for the dispute decision; and

Note For what must be included in a statement of reasons, see the *Legislation Act 2001 (ACT)*, s 179

- (iii) that a party to the dispute may appeal the dispute decision under paragraph 21 (Appealing decisions); and
- (d) If the Committee is not a party to the dispute—give the Committee a copy of the notice mentioned in paragraph (c).
- (e) A party to the dispute may appeal the dispute decision by way of notice to the Secretary in line with paragraph 21 (Appealing decisions).
- (f) Notice of an appeal must be lodged with the Secretary within seven days of a dispute decision.

19. Dispute resolution procedure—ending dispute by agreement

- (a) The parties to a dispute may agree to end the dispute at any time before the decision-maker decides the outcome of the dispute.
- (b) If the parties agree to end the dispute, they must give written notice to the following people:
 - (i) if the Committee is not a party to the dispute—the Committee;
 - (ii) if a decision-maker has been appointed for the dispute—the decision-maker.
- (c) The notice must state—
 - (i) that the parties have agreed to end the dispute; and
 - (ii) the terms of the agreement.

20. Discipling of Members

- (a) If the Committee receives information indicating that a member has:
 - (i) refused or neglected to comply with the provisions of this Constitution;
 - (ii) acted in a manner prejudicial to the objectives and interests of BCC; or
 - (iii) acted in a manner that brings BCC into disrepute,the Committee shall, after providing notice of its intention to act to the member, determine appropriate action to take in response to the member's actions.
- (b) Appropriate action taken by the Committee in response to information received under sub-paragraph 20(a) includes but is not limited to:
 - (i) Suspension of the person's membership; or
 - (ii) Revocation of the person's membership.
- (c) When the Committee suspends or cancels the membership of a person under sub-paragraph 20(a), the Secretary shall, as soon as practicable, serve on the member a notice in writing stating:

- (i) the decision of the Committee;
 - (ii) the grounds for the decision of the Committee;
 - (iii) that the member may, within seven days after the service of notice of the decision, appeal against the decision of the Committee by giving written notice to the Secretary; and
 - (iv) that the member may, at any time before the appeal is decided, withdraw the appeal by giving written notice to the secretary.
- (d) The relevant member may appeal the decision of the Committee by providing written notice to the Secretary within seven days of receiving the Committee's decision.

21. Appealing Decisions

- (a) Upon receipt of a notice of appeal under sub-paragraph 20(d) or sub-paragraph 18(e) the Secretary shall notify the Committee that a notice of appeal has been received and arrange for a Special General Meeting of BCC to be held within thirty days of the receipt of the notice.
- (b) A Special General Meeting convened pursuant to 21(a) must not be arranged on the same date as an Ordinary General Meeting.
- (c) A member appealing a decision may, at any time before the appeal is decided, withdraw the appeal by giving written notice to the Secretary.
- (d) At the Special General Meeting convened pursuant to sub-paragraph 21(a) the following must occur:
 - (i) the Committee shall place before the Meeting details of the grounds of the decision and the decision of the Committee or relevant decision-maker;
 - (ii) the member affected by the decision shall be given an opportunity to be heard; and
 - (iii) a secret ballot shall be conducted to determine whether the decision of the Committee or relevant decision-maker made pursuant to sub-paragraph 20(a) or sub-paragraph 18(b) is confirmed or otherwise.
- (e) The parties to the appeal may not vote on the special resolution brought under sub-paragraph 21(d).
- (f) If the decision of the Committee is not confirmed pursuant to 21(d)(iii), the decision of the Committee or relevant decision-maker will be deemed to have never been taken.
- (g) Following the Special General Meeting referred to in sub-paragraph 21(a) the Secretary shall provide written notice, within seven days after the Special General Meeting to the affected member setting out the decision of the Meeting.
- (h) There is no right of appeal against a resolution made under sub-paragraph 21(d)(iii).
- (i) Where a person has their membership of BCC suspended or cancelled under sub-paragraph 21(d)(iii), that person is not eligible to resume or reapply for membership of BCC for such period as the Committee may determine.

Part 4 Committee

22. Powers

The Committee, subject to the Act, the Regulation, this Constitution, any resolution passed by members of BCC in general meeting or any decision of the Committee:

- (a) controls and manages the affairs of BCC;
- (b) may exercise all functions that may be exercised by BCC other than those functions that are required by this Constitution to be exercised by the BCC in general meeting; and
- (c) has power to perform all acts and do all things that appear to the Committee to be necessary or desirable for the proper management of the affairs of BCC.

23. Structure and Terms of Office

- (a) The Committee consists of:
 - (i) The Executive; and
 - (ii) Up to eight Ordinary Committee Members.
- (b) The members of the Executive are:
 - (i) The Chairperson;
 - (ii) The Deputy Chairperson;
 - (iii) The Treasurer; and
 - (iv) The Secretary.
- (c) A member may not hold more than one position on the Committee simultaneously.
- (d) Each member of the Committee holds office, subject to these rules, from the end of the AGM at which they were elected (or from the date of the member's appointment) until the conclusion of the next AGM.

Note Committee members have duties of care and diligence, good faith and proper purpose and duties about the use of their position and the use of information obtained because of their position (see [Act](#), *div 4.2 and dict, def office*)

24. Sub-Committees

- (a) The Committee may establish sub-committees concerned with particular issues.
- (b) The name and terms of reference of the sub-committee shall be recorded in the Minutes of the Committee meeting at which it is established. Any sub-committee will cease to function when it is recorded in the Minutes of the Committee that it is no longer required.

- (c) Any sub-committee shall consists of:
 - (i) a Committee member in the role of convenor of the sub-committee; and
 - (ii) at least two other BCC members; and
 - (iii) when determined to be necessary, non-members co-opted with prior authorisation of the Committee.
- (d) The sub-committee convenor shall report to the Committee at each Committee meeting.

Part 5 Duties of the Executive

25. Chairperson

- (a) All general meetings and Committee meetings are to be chaired by the Chairperson or, in his or her absence, the Deputy Chairperson or, in the absence of both, a deputy as appointed by the Committee.
- (b) The Chairperson shall preserve order and decorum and so exercise authority in conducting business of BCC.
- (c) The Chairperson shall answer any necessary correspondence addressed to BCC, consulting with other members of the Executive when necessary. If the Chairperson cannot attend to correspondence for any reason the task may be delegated to the Deputy Chairperson or any other Committee member as appropriate.
- (d) The Chairperson shall be the spokesperson for BCC. The Chairperson may delegate the role of spokesperson to any other Committee member for a specific matter.
- (e) The Chairperson shall exercise general supervision over the activities of BCC.
- (f) The Chairperson is to convene not less than four Ordinary General Meetings of the BCC each financial year.

26. Deputy Chairperson ('the Deputy')

- (a) The Deputy shall exercise the powers and authority of, and perform all duties of, the Chairperson when the Chairperson is unavailable.
- (b) The Deputy shall assist the Chairperson in exercising the duties of that office.
- (c) The Deputy shall assist in maintaining order.

27. Secretary

- (a) The Secretary, or delegate of the Secretary, shall keep minutes of:
 - (i) all elections and appointments of Committee and sub-committee members; and
 - (ii) the names of members of the Committee present at each Committee meeting and general meeting; and
 - (iii) all proceedings at Committee meetings and general meetings.
- (b) The Secretary shall distribute to all Committee members the draft Minutes of Committee meetings within a period of two weeks after the date of the meeting. The Secretary shall distribute to all Committee members draft Minutes of general meetings at least one week before the next general meeting.
- (c) The Secretary, or delegate of the Secretary, shall maintain the Register of Members.
- (d) Subject to the Act, the Regulation, and the provisions of this Constitution, the Secretary is to keep in his or her custody or under his or her control, all records, books and other documents relating to BCC.

- (e) The Secretary shall draft agendas for Committee and general meetings and consult with the Chairperson prior to distribution of a final agenda. Distribution of the final agenda should occur at least forty-eight hours before the forthcoming meeting.

28. Treasurer

- (a) The Treasurer is to keep the accounts of BCC and is responsible for the prompt banking of all moneys received and for disbursements authorised by the Committee. Full details of all receipts and expenditure must be recorded.
- (b) As soon as possible after the end of each financial year the Treasurer must prepare a financial report for BCC which includes:
 - (i) a Statement of Income and Expenditure; and
 - (ii) a Balance Sheetshowing the true financial position of BCC as at the end of the financial year and submit the accounts and such other records as may be required to the appointed Auditor.
- (c) The Treasurer shall maintain a Register of BCC Assets which had a purchase price greater than one hundred Australian dollars. The register should indicate in respect of each asset:
 - (i) an identifiable description; and
 - (ii) the date of acquisition; and
 - (iii) the purchase price; and
 - (iv) the name of the BCC member who has custody of the asset.
- (d) At the end of each financial year, all registered assets are to be attributed a depreciated value which shall be recorded in the Register of BCC Assets and included in the Balance Sheet.
- (e) Following approval by the Committee to dispose of a registered asset, the Treasurer shall record the date and method of disposal. If the method of disposal is by sale the Treasurer shall record the terms of sale.

Part 6 Committee Members

29. Eligibility

- (a) A person is eligible for appointment or election to the Committee if the person is a member of BCC who has attended and registered their attendance at a minimum of three general meetings of BCC during the twelve months preceding the nomination.
- (b) If there is no eligible person available to fill a vacancy, the Committee may, in its absolute discretion, permit the election or appointment of a person who does not meet the eligibility criterion referred to in sub-paragraph 29(a).
- (c) A person is not eligible to hold a Committee position if the person is a member of the ACT Legislative Assembly or any State or Commonwealth Parliament.

30. Procedure for Nomination

- (a) Nominations for Committee positions must be received by the officer of the BCC specified in the vacancy notice not less than seven days, or if the Committee has determined a greater number of days than that seven, before the date of the election.
- (b) Nominations must be:
 - (i) in writing on the prescribed form available from the BCC website or upon request to the Secretary or Public Officer, signed by two members who are eligible to vote at the forthcoming Committee election and signed by the nominee indicating their acceptance of the nomination;
 - (ii) by email, originating from a member who is eligible to vote at the forthcoming Committee election, stating the details of a nominated person as required by the prescribed form referred to in sub-paragraph 30(b)(i) and emailed to the nominated person for their acceptance of the nomination;
 - (iii) in writing on the prescribed self-nomination form available from the BCC website or upon request to the Secretary or Public Officer, signed by the self-nominator and signed by two members who are eligible to vote at the forthcoming Committee election; or
 - (iv) By email, originating from a self-nominating person stating their details as required by the self-nomination form referred to in sub-paragraph 30(b)(iii) and emailed to two other member who are eligible to vote at the forthcoming Committee election for their agreement to second the nomination.

31. Casual Vacancies

- (a) A casual Committee vacancy occurs if an appointed person:
 - (i) dies;
 - (ii) resigns; or
 - (iii) for any other reason ceases to be a member of BCC.

- (b) If there is a casual vacancy in the membership of the Committee occurring within five months of the date of the next expected AGM the Committee has absolute discretion to:
 - (i) in the case of an Executive position, appoint any other Committee member to perform the duties of the vacant position until the next AGM, but if there is no Committee member willing and able to do so then expressions of interest shall be sought from members and the Committee shall appoint a member selected from those who express interest to perform the duties of the vacant position until the next AGM;
 - (ii) in the case of an Ordinary Committee Member position, to leave the position unfilled, or directly appoint a member to fill the position until the next AGM.
- (c) If there is a casual vacancy in the membership of the Committee other than as provided for in sub-paragraph 31(b) (that is, occasions where there is more than five months before the next expected AGM), members shall be invited to submit nominations and an election will be conducted at an Ordinary General Meeting.
- (d) Notice of the election pursuant to sub-paragraph 31(c) shall be given with the notice of the Ordinary General Meeting at which the election will be conducted.
- (e) In filling of casual vacancies ineligible members (within the meaning of paragraph 5) may only be appointed if there is no eligible member available to fill the position.

32. Conduct of Committee Elections

- (a) Where there is only one valid nomination for any Executive position, the nominated person is taken to be elected, otherwise an election must be conducted.
- (b) Where there are fewer or an equal number of valid nominations for Ordinary Committee Members positions as the number to be filled, the nominated persons are taken to be elected, otherwise an election must be conducted.
- (c) If there are any remaining vacancies following an election, further nominations may be received from eligible members attending the election, and if there are more nominations than positions available, an election must be conducted. Any vacancy remaining following the election or appointment to the Committee shall be filled as casual vacancies.
- (d) Any ballot for the election of Office-Bearers or Ordinary Committee Members must be conducted in the manner the Committee directs.
- (e) A Returning Officer must be appointed to conduct a ballot held at an AGM. The Returning Officer must be a person whom is not eligible for membership of BCC.
- (f) All Committee members shall, immediately after being elected or appointed, advise the Secretary and Public Officer of their address.
- (g) Eligibility to cast a vote in Committee elections is determined by paragraph 39.

33. Removal of Committee Members

Members of BCC in a Special General Meeting may by resolution, subject to the Act, remove any member of the Committee from the office of member of the Committee before the end of the member's term of office. If a member so removed is also the Public Officer, the office is deemed to be terminated and a new Public Officer must be appointed by the Committee.

Part 7 Meetings

34. Attendance Registers

- (a) All persons attending a general meeting are required to register their attendance.
- (b) Any records containing personal information shall be kept in accordance with the requirements of the *Privacy Act 1988* (cth) or applicable successor legislation.

35. Ordinary General Meetings

- (a) At least seven days' notice must be given to hold an Ordinary General Meeting.
- (b) The form of notice shall be by email to all members and guests who have provided an email address, and by notice on the BCC website specifying the date, time and place of the meeting.
- (c) At any general meeting, five members constitute a quorum for the transaction of business.
- (d) If, by thirty minutes after the nominated starting time of a general meeting, a quorum is not present, the chair of the meeting is to reconvene the meeting for a later date, which, subject to availability of suitable premises, shall be not less than six days and not more than fifteen days later. The reconvened meeting details are to be notified in the usual manner.
- (e) If at a meeting reconvened pursuant to 35(d) a quorum is not present within thirty minutes from the time appointed for the meeting to begin, the members present (being not less than three) constitutes a quorum.
- (f) If a general meeting is not quorate, the members present may elect to continue informally. Any decision taken at an informal meeting does not have effect unless confirmed at the reconvened meeting.

36. Special General Meetings

- (a) A Special General Meeting may be called pursuant to rules of this Constitution, at the discretion of the Committee or by request of any five members.
- (b) A request for a Special General Meeting made under sub-paragraph 36(a) must state the general nature of the subject(s) to be discussed and the terms of any motions or questions which will be put to the meeting.
- (c) Following receipt by the Chairperson or Secretary of a request under sub-paragraph 36(a), the Special General Meeting must be held within thirty days.
- (d) A Special General Meeting may be held before, after, or both before and after an Ordinary General Meeting or AGM.
- (e) At least twenty-one days' notice must be given for holding a Special General Meeting. The form of notice shall be by email to all members who have provided an email address, and by notice on the BCC website specifying the date, time and place of the Meeting and the general nature of business to be transacted.
- (f) No business other than that specified in the notice under sub-paragraph 36(e) may be discussed at the meeting unless the Committee members present at the meeting unanimously agree it is urgent business.

- (g) The quorum requirements for a Special General Meeting are the same as those of general meetings as outlined in sub-paragraph 35(c).

37. Annual General Meetings

- (a) An AGM is to be held once each calendar year, within 5 months after the end of the financial year.
- (b) At least fourteen days' notice must be given for holding an AGM. The form of notice shall be by email to all members and guests who have provided an email address, and by notice on the BCC website.
- (c) The notice must—
- (i) state the date, time and place of the AGM; and
 - (ii) include the agenda for the AGM; and
 - (iii) attach minutes of the previous AGM; and
 - (iv) provide information and documents directly relevant to any matters to be decided, dealt with or done at the AGM.

Examples **information relevant to matters to be decided**

- (i) information about nominees for Committee membership
- (ii) information about a proposed budget for the Association

- (d) The following must be done at an AGM:

- (i) the minutes of the previous AGM must be confirmed;
- (ii) the Committee must be elected;
- (iii) the documents mentioned in the Act, section 73 (1) must be presented;

Note **Section 73 (1) of the Act requires the Committee to present a statement of accounts, a reviewer's or auditor's report, and a report about the Committee membership, principal activities and profit or loss.**

- (iv) the documents the Association is required to lodge with the registrar-general under the Act, section 79 (1) must be dealt with.
- (e) No other business shall be conducted at an AGM.
- (f) The quorum requirements for an AGM are the same as those of general meetings as outlined in sub-paragraph 35(c).

38. Committee Meetings

- (a) Committee meetings shall be scheduled to be held at such times and places as determined by the Committee.
- (b) Oral or written notice of meeting of the Committee shall be given by the Secretary or other designated member to each member of the Committee at least forty-eight hours (or such other period as may be unanimously agreed upon by the members of the Committee) before the time appointed for holding of the meeting.

- (c) Any three members of the Committee may request a Committee meeting by giving written notice to the Chairperson and Secretary and providing a summary of the business to be dealt with.
- (d) Upon receipt of a notice made under 38(c) the Secretary shall make arrangements for a Committee meeting to be convened for a date not later than fourteen days from receipt of the written notice.
- (e) BCC members are entitled to attend Committee meetings having given forty-eight hours notice to the Chairperson. The notice must indicate whether the member wishes to attend as an observer or to be heard on a particular matter.
- (f) The quorum for a Committee meeting shall be three Committee members including at least the Chairperson or Deputy Chairperson. No business shall be transacted by the Committee unless such a quorum is present.
- (g) If a Committee meeting is not quorate, the Committee members present may elect to continue informally. Any decision taken at an informal meeting does not have effect unless confirmed at the reconvened meeting.

39. Voting

- (a) Subject to the following sub-paragraphs members may vote on any question or motion.
- (b) Non-members at any general meeting may vote only in respect of motions or questions pertaining to guest presentations.
- (c) The election of Committee Member(s) (Executive or Ordinary) shall be by secret ballot.
- (d) At any general meeting, at the discretion of the Chair of the meeting, those eligible to vote on a matter (other than election of Committee Member(s)) may indicate their preference on any motion or question put forward by a show of hands (indicative voting).
- (e) If the Chair of the meeting or any five members present at a general meeting believe that indicative voting is not appropriate, a secret ballot must take place.
- (f) At a Committee meeting, only elected and appointed Committee members are eligible to vote.
- (g) A member of the Committee shall not vote on any matter put at a Committee meeting in which they have a conflict of interest.
- (h) If any Committee Member, the Public Officer or any BCC member present at a Committee meeting requests a secret ballot be conducted on any matter, the Chair of the meeting shall conduct a secret ballot in respect of the matter specified.
- (i) Motions or questions put at any BCC meeting other than a Special General Meeting require the support of a simple majority of eligible voting members present at the meeting who cast a vote.
- (j) A motion or question put at a Special General Meeting requires the support of three-quarters of the eligible voting members present at the meeting who cast a

vote. In the case of an equality of votes on a motion or question, the Chair of the meeting is entitled to exercise a second or deciding vote.

40. Order at Meetings

- (a) The Belconnen Community Council (BCC) is committed to creating a respectful, inclusive, and safe environment for our community.
- (b) A code of conduct may be adopted at the discretion of the Committee. This code of conduct would extend to all BCC activities and interactions with the BCC.
- (c) Procedures for the conduct of meetings may be adopted at the discretion of the Committee.
- (d) Rulings of the person chairing a general meeting, or in the case of the AGM the Returning Officer, are binding unless nullified by the votes of two-thirds of the members present who are eligible to vote and who cast a vote.

41 Minutes

Minutes of proceedings at any BCC meeting shall be signed by the person who chaired the meeting to which the Minutes refer, but when that person is not available to do so, the Minutes shall be signed by a member of the Executive who was present at the meeting to which the Minutes refer but who was not responsible for taking the Minutes.

Part 8 Financial Administration

42 Source of funds

- a. The sources from which BCC may derive funds are donations, legacies, fund raising activities and, subject to a resolution passed by BCC members in general meeting, such other sources as determined from time to time.
- b. The Committee shall determine where and on what terms funds are to be deposited with a financial institution.
- c. The Committee shall determine from time to time the authorised signatories for financial transactions.

43 Application of funds

- a. The assets and income of BCC are to be applied solely in the furtherance of its above-mentioned objectives and no portion is to be distributed directly or indirectly to members of BCC except as bona fide compensation for services rendered or expenses incurred on behalf of BCC.
- b. The Committee must develop operational guidelines for the making of financial decisions pursuant to sub-paragraph 43(a).

44 Auditor

A person is to be appointed as Auditor or Reviewer of BCC's accounts in Accordance with the Act.

Note The Committee may appoint a replacement Auditor or Reviewer if the Auditor or Reviewer appointed at the AGM are unable to complete their duties.

Part 9 Miscellaneous

45 Public Officer

- a. A Public Officer must be appointed as required by the Act.
- b. The appointment of the Public Officer is only terminated by retirement, a resolution at a general meeting or dismissal pursuant to the Act.
- c. The Public Officer must fulfil all responsibilities as prescribed by the Act.
- d. If the Public Officer is not a Committee member (Executive or Ordinary) the Public Officer is entitled to attend and participate in all Committee meetings but does not have a right to cast a vote on any matter.

46 Inspection of BCC Documents

Pursuant to the Act, the documents of BCC are open to inspection by a member of BCC at a place in the ACT, free of charge, at any reasonable hour, with reasonable notice to BCC.

47 Alteration of the Constitution

This Constitution can only be amended as provided by the Act.

48 Dissolution

In the event of BCC being dissolved, any residual funds after satisfaction of all debts and liabilities (including the repayment of any unused portion of a grant from the ACT government) is to be paid and applied by the Committee in the following manner: to an incorporated association, institution or authority which is exempt from income tax and has, so far as the Committee can determine, similar objectives to those of BCC which are not carried on for the profit or gain of its individual members.