



WOMEN'S COUNCIL

FOR DOMESTIC & FAMILY
VIOLENCE SERVICES (WA)

CONSTITUTION

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Constitution (Rules of Association)

1. NAME

The name of the incorporated association is Women's Council for Domestic and Family Violence Services (WA) Inc. (**Council**)

2. DEFINITIONS

In this Constitution, the following words have the following meanings unless the context plainly indicates to the contrary:

Act means the *Associations Incorporation Act 1987* (WA).

AGM means the annual general meeting convened under Rule 17(d).

Associate Member means persons or entities of the type listed in Category 2 of Schedule 1 who have been granted membership of the Council.

Authorised Individual means a person appointed to represent an organisation under Rule 10.

Chairperson means chairperson of the Council and Executive Committee.

Commissioner means the Commissioner for Fair Trading exercising powers under the Act.

Deputy Chairperson means deputy chairperson of the Council and Executive Committee.

Executive Committee means the elected management committee responsible for the management of the Council.

Executive Committee Meeting means a meeting of the Executive Committee.

Member means an Organisational Member or Associate Member of the Council, or both as the case requires.

Objects has the meaning given in Rule 6.

Organisational Members means organisations which are primarily of the type listed in Category 1 of Schedule 1 who have been granted membership of the Council.

Purpose has the meaning given in Rule 4.

Representative of Aboriginal background means a woman who identifies herself as having Aboriginal background and is generally accepted by her peers as such.

Representative of Torres Strait Island background means a woman who identifies herself as having Torres Strait Island background and is generally accepted by her peers as such.

Representative of Immigrant, Refugee or Non-English Speaking Background means a woman who identifies herself as having immigrant, refugee or non-English speaking background and is generally accepted by her peers as such.

Secretary means secretary of the Council and Executive Committee.

Special Resolution has the meaning given in Rule 17(p).

Treasurer means treasurer of the Council and Executive Committee.

Vision has the meaning given in Rule 3.

Womens Service means any non-government organisation, which has the core function or purpose of assisting women and children that have experienced domestic violence.

3. VISION STATEMENT

The vision of the Council is to ensure that all women and children live free of domestic and family violence.

4. PURPOSE

The purposes of the Council are to:

- (a) act as a State-wide peak organisation providing information and assistance to organisations that provide direct relief to women and children affected by family and domestic violence;
- (b) provide training forums and information sessions for its Members;
- (c) act as a State-wide peak organisation committed to improving the status of women and children in society;
- (d) provide a voice on domestic and family violence issues thereby facilitating and promoting policy, legislative and programmatic responses relevant to women and children who have experienced domestic and family violence; and
- (e) operate from a feminist perspective, proactively advocate social justice, empowerment, access, equity and safety for all women and children.

5. GUIDING PRINCIPLES

The Council is guided by the following principles:

- (a) The Council is a State-wide peak organization committed to improving the status of women and children in society. It is guided by a feminist framework, which promotes an understanding of domestic and family violence as gendered violence.
- (b) The Council is committed to facilitating access and equality for all women and children who are or have been experiencing domestic and family violence.
- (c) The Council recognises domestic and family violence in same sex relationships.
- (d) The Council acknowledges that women's and children's experiences are intrinsically shaped by their race, ethnicity, ability, age and class.
- (e) The Council acknowledges indigenous women's and children's cultural needs and ongoing injustices.
- (f) The Council promotes early intervention strategies that focus on the safety and protection of women and children.

The Council is committed to working collaboratively and developing partnerships with key stakeholders in the wider community.

6. OBJECTIVES

The objects of the Council are to:

- (a) strengthen the Council's unified voice on domestic and family violence issues;
- (b) maintain the Council as an independent, viable and credible organisation;
- (c) improve the access of women and children to women's refuges and services that deal with the effects of domestic and family violence;
- (d) provide leadership on domestic and family violence issues to key stakeholders and the community;
- (e) provide support, information and referral and links to services on funding and industrial matters to its Members;
- (f) increase community awareness of the incidence and effects of, and responses to, domestic and family violence;
- (g) collaborate with key stakeholders in the development of domestic and family violence policies, legislation and programs affecting women and children;
- (h) assist in educating the community on domestic and family violence services;
- (i) offer assistance, including information, referral and counselling support to the public in domestic and family related crisis situations; and
- (j) ensure access and equity for all Members in remote and rural locations.

7. POWERS OF THE COUNCIL

In addition to the powers:

- (a) conferred by the Act or by any other Law; and
- (b) conferred elsewhere in this Constitution;

the Council shall have such powers as are reasonably required for attaining its Objects, and, without limiting the generality of the foregoing, it shall have powers to:

- (c) acquire, hold, deal with, and dispose of any real or personal property;
- (d) open and operate bank accounts;
- (e) invest the Council's money in any security in which trust monies may lawfully be invested, or in any other manner authorised by this Constitution;
- (f) borrow and raise money upon any terms and conditions as the Executive Committee thinks fit;
- (g) give security for the discharge of liabilities incurred by the Council as the Executive Committee thinks fit;
- (h) appoint agents to transact any business of the Council on its behalf;
- (i) enter into any other contract the Executive Committee considers necessary or desirable; and
- (j) act as a trustee and accept and hold real and personal property upon trust. The Council does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene the Act or this Constitution.

8. INCOME AND PROPERTY

- (a) The income and property of the Council, however derived, shall be applied solely towards the promotion of the objects of the Council and no portion thereof shall be paid or otherwise distributed, directly or indirectly, to any Member, except in good faith in the promotion of those objects.
- (b) Nothing in subclause (a) prevents:
 - (i) the payment in good faith to a Member of remuneration in return for services actually rendered to the Council by that Member or for goods supplied to the Council by the Member in the ordinary course of business; or
 - (ii) the reimbursement by the Council of the out of pocket costs incurred by members of the Executive Committee and representatives.

9. MEMBERSHIP

- (a) There shall be two categories of membership:
 - (i) Organisational Members; and
 - (ii) Associate Members.
- (b) The application for membership shall be:
 - (i) Made in writing in a form prescribed from time to time by the Executive Committee which states the applicant's qualifications for membership;
 - (ii) accompanied by a declaration of support for the Council's Vision, Purpose and Objects;
 - (iii) signed by the applicant, or where the applicant is an organisation, by the Authorised Individual of the applicant; and
 - (iv) lodged with the Secretary, together with the sum payable as the year's subscription fee.
- (c) All membership applications shall be considered by the Executive Committee which shall have the right to accept or refuse membership to any person, service or organisation, at its absolute discretion, but subject to the rights of appeal contained in Rule 20. The Executive Committee will provide written notice of the outcome of the membership application.
- (d) The annual subscription fee for membership for shall be set each year by the Executive Committee, which may set different subscription fees for Organisational Members and Associate Members. All subscription fees shall become due and payable in advance by the 1st of August each year.
- (e) The Executive Committee may from time to time set other membership fees to be paid by each Member. All membership fees shall become due and payable in advance by the 1st of August each year.

10. REPRESENTATIVES OF MEMBERS

- (a) Every organisation which makes an application for membership under Rule 9(b) must, either before or at the same time that it makes its application for membership:
 - (i) notify the Executive Committee in writing of the name of the person who will be its authorised representative (**Authorised Individual**); and
 - (ii) confirm to the Executive Committee in writing that the Authorised Individual is empowered to act on its behalf in connection with all matters arising out of this Constitution, including voting at meetings and occupying Executive Committee positions.
- (b) Every Member of the Council which has an Authorised Individual may change its Authorised Individual at any time by notice in writing to the Executive Committee.

11. REGISTER OF MEMBERS

- (a) A register of Members must be maintained and shall be kept at the office of the Council and be available for inspection at all reasonable times by any Member who has applied to the Secretary orally or in writing to inspect it.
- (b) The Secretary is responsible for the maintenance of an up-to-date register of members with:
 - (i) the full name and postal or residential address of each Member;
 - (ii) the category of membership; and
 - (iii) the date of admission to and termination (if applicable) of membership.
- (c) The Secretary is responsible of ensuring that the name of a person or an organisation who ceases to be a member under Rule 12 is deleted from the register of members.

12. CESSATION OF MEMBERSHIP

An organisation or person ceases to be a Member of the Council if any of the following happens:

- (a) The Council is wound up.
- (b) The Member dies, or in the case of a Member which is a body corporate or other organisation, the Member is wound up or otherwise ceases to exist.
- (c) The Member resigns from membership of the Council by written notice to the Executive Committee. The resignation shall take effect at the time the notice is received, unless the notice specifies a later date, in which case the resignation shall take effect at that later date.
- (d) The Member has its membership terminated in accordance with Rule 19(b)(iii) (subject to Rule 20, where applicable).
- (e) The Member fails to pay the annual subscription fee or any other applicable membership fees within six months of the due date.

13. MANAGEMENT OF THE COUNCIL

The affairs of the Council shall be managed by the Executive Committee. The Executive Committee (subject to the Act, this Constitution and to any resolution passed in a general meeting of the Council) shall:

- (a) exercise all functions as may be exercised by the Council other than those functions that are required by the Act or this Constitution to be exercised in a general meeting of the Council;
- (b) perform all such acts and do all such things as appear to the Executive Committee to be necessary or desirable for the proper management of the affairs of the Council; and
- (c) employ at its discretion an officer (**Executive Officer**) or other persons to carry out the day-to-day policy, research, liaison, secretarial and financial activities of the Council.

14. THE EXECUTIVE COMMITTEE

- (a) The Executive Committee shall be comprised of up to 10 women as follows:
 - (i) 4 representatives of Women's Refuges;
 - (ii) a Representative of Torres Strait Island Background or a Representative of Aboriginal Background (**Indigenous Executive Committee Position**);
 - (iii) a CALD (Cultural and Linguistic Diversity) Representative of Immigrant or Refugee or Non-English Speaking Background (**Immigrant or Refugee or Non-English Speaking Background Executive Committee Position**);
 - (iv) a representative of a rural Womens Service (**Rural Executive Committee Position**);
 - (v) a representative of a remote Womens Service (**Remote Executive Committee Position**); and
 - (vi) up to 2 other elected representatives.
- (b) The officers of the Council shall consist of a Chairperson, a Deputy Chairperson, a Secretary and a Treasurer, each of whom shall be elected by the Executive Committee from its membership at the first meeting of the Executive Committee following immediately after the AGM for each year. All other Representatives on the Executive Committee shall be ordinary members of the Executive Committee.
- (c) Each Executive Committee member shall be elected to the Committee for a period of two (2) years. An Executive Member may only be elected to the Executive Committee for four (4) years consecutively. Twelve (12) months must have passed before a member can nominate for membership of the Executive again.
- (d) The Chairperson or Deputy Chairperson shall preside at all Executive Committee meetings as Chair or if they are absent, an Executive Committee member will be appointed as Chair by the meeting.
- (e) The Secretary shall be responsible for ensuring that minutes of all meetings are kept and that the books and records of the Council are maintained properly. This includes complying with Rules 11, 16(k), 18 and 25. The Secretary will have custody of all books, documents, records and registers of the Council with the exception of those held by the Treasurer pursuant to Rule 14(f).

- (f) The Treasurer shall be responsible for the financial records of the Council, and for monitoring and ensuring that the financial records, annual financial reports and other financial dealings are properly recorded and maintained. This includes complying with Rule 24. The Treasurer will have custody of all securities, books and documents of a financial nature and accounting records of the Council.

15. ELECTION OF EXECUTIVE COMMITTEE MEMBERS

- (a) Following the elections at the AGM in 2005, half of the Executive Committee positions (to be determined by drawing lots) will expire at the AGM in 2006 with remaining Executive Committee positions expiring at the AGM in 2007. Subsequently, half of the Executive Committee positions will expire at each AGM. Executive Committee members will be elected by postal ballot in accordance with this Rule.
- (b) The Executive Committee shall notify Members each year of the number of Executive Committee vacancies which will exist at the next AGM. This notification shall be dispatched at least six (6) weeks before the AGM concerned.
- (c) Nominations for membership of the Executive Committee are only open to Authorised Individuals of Organisational Members.
- (d) Only eligible women Representatives of Aboriginal Background or Representatives of Torres Strait Islander Background may nominate for the Indigenous Executive Committee Position.
- (e) Only eligible CALD women Representatives of Immigrant, Refugee or Non-English speaking Backgrounds may nominate for the Immigrant, Refugee or Non-English Speaking Background Executive Committee Position.
- (f) Only eligible women from rural Womens Services may nominate for the Rural Executive Committee Position.
- (g) Only eligible women from remote Womens Services may nominate for the Remote Executive Committee Position.
- (h) Nominations for vacancies on the Executive Committee, signed by the nominee to indicate consent, must be received at least twenty-one (21) days before the AGM and must be circulated to Organisational Members at least fourteen (14) days before the AGM, with postal ballot forms.
- (i) If there are not more nominations than vacancies for any position or category of position available on the Executive Committee then the nominees shall be elected unopposed at the AGM, otherwise a postal ballot shall be held to fill each position.
- (j) If a postal ballot is held, Organisational Members may vote for duly nominated candidates by posting a completed postal ballot form to the Council office so that it is received at the Council office at least two business days before the AGM.
- (k) A returning officer appointed by the Executive Committee shall count the votes and determine the outcome of the election for each position.
- (l) The Executive Committee may appoint any woman to fill any casual vacancy on the Executive Committee, as long as that woman would have been eligible to have been elected to the position which has become vacant. Any person so appointed will occupy their position for the balance of the term applicable to that position in accordance with the formula in Rules 14(c) and 15(a).

16. MEETINGS OF THE EXECUTIVE COMMITTEE

- (a) The Executive Committee shall meet at least 10 times each year. Members may attend in person or by telecommunications which enable each person to hear and be heard by all other persons participating in the meeting.
- (b) Meetings of the Executive Committee may be convened by any three (3) of the members of the Executive Committee.
- (c) Seven (7) days' notice shall be given of any meeting specifying when and where the meeting will be held and the general nature of the business to be done, and no other business will be done unless agreed by the Executive Committee.
- (d) A quorum for the Executive Committee shall be half the number of Executive Committee members currently in office, plus one.
- (e) No business shall be done unless there is a quorum present. If within half an hour of the proposed starting time of the meeting a quorum is not present, then the meeting shall be adjourned to another day, time and place as the Executive Committee may determine. If at the adjourned meeting a quorum is still not present then the meeting shall lapse.
- (f) If a member of the Executive Committee fails to attend two consecutive meetings without reasonable excuse the Executive Committee may resolve and so advise the member in writing that their Executive Committee position is vacated.
- (g) If a member can not attend an Executive Committee Meeting, the member may authorise any other member of the Executive Committee to exercise a vote by proxy on their behalf, provided that the member who gives the proxy has notified the Secretary of the fact, in writing on a form approved by the Secretary, at least three (3) days before the meeting or vote concerned. The Executive Committee member authorising a proxy must not direct the manner in which the proxy's vote is exercised.
- (h) Each member of the Executive Committee shall have one vote at an Executive Committee Meeting, and where there is an equality of votes the Chairperson will have a casting vote. Voting on any issue shall generally be by show of hands, but if so requested by any member present shall be by a poll. When voting on a show of hands, a member of the Executive Committee who is also a proxy has only one vote. No Executive Committee member may cast more than two (2) proxy votes in any poll.
- (i) All resolutions shall be decided by a majority of votes of Executive Committee members.
- (j) Any Executive Committee member having any direct or indirect pecuniary interest in a contract, or proposed contract made or contemplated by the Executive Committee, must:
 - (i) as soon as they become aware of that interest, disclose the nature and extent of the interest to the Executive Committee; and
 - (ii) not take part in any deliberations or decision of the Executive Committee with respect to that contract.

This sub-rule does not apply to a pecuniary interest that exists only because the Executive Committee member is an employee of the Council or is a member of a class of persons for whose benefit the Council was established.

the minutes of the meeting at which it is made.

17. GENERAL MEETINGS

- (a) The Council shall hold general meetings at least 4 times each year, which may occur in person or by telecommunications which enable each person to hear and be heard by all other persons participating in the meeting.
- (b) The business of general meetings shall be:
 - (i) to enable and encourage participation and contributions from all Members in order to develop strategies to meet the Purpose and Objects of the Council;
 - (ii) to form reference groups from within to consider specific areas of work e.g. governance, children's issues, rural and remote issues, women's refuges, perpetrator services etc;
 - (iii) to provide information and support to all Members;
 - (iv) to enhance communication between Members;
 - (v) to keep all Members informed of the work and initiatives being undertaken by the Executive Committee and employees of the Council;
 - (vi) to give direction to the Executive Committee; and
 - (vii) to provide information and training forums and workshops to Members.
- (c) Interested employees, management personnel and volunteers from the Members will be encouraged to attend any general Council Meeting. Non-members and guests will be invited as appropriate.
- (d) The Executive Committee must convene an Annual General Meeting (AGM) in every calendar year within four (4) months of the close of the financial year or such longer period as may be allowed by the Commissioner.
- (e) The business of the AGM shall be:
 - (i) To confirm the minutes of the last AGM.
 - (ii) To receive and consider the Executive Committee's annual report.
 - (iii) To receive and consider the financial accounts of the Council and the auditor's report. The Council shall comply with the Act concerning the presentation of financial statements to the AGM.
 - (iv) The unopposed election of Executive Committee members under Rule 15(i) or the declaration of the results of the postal ballot for Executive Committee members.
 - (v) The appointment of a returning officer to conduct any elections required at the AGM.
 - (vi) The termination or appointment of an auditor, as required.
 - (vii) Any other business of which notice in accordance with sub-rule (l) has been given.

- (f) A general meeting shall be arranged:
 - (i) when directed by the Executive Committee; or
 - (ii) on the request, in writing by not less than one-fourth of the Members. Such requests shall clearly show the reasons why a general meeting is being convened and the nature of the business to be transacted.
- (g) At any Council meeting the following number of Members present in person or by proxy constitutes a quorum: the number of Executive Committee members presently in office, plus five (5).
- (h) No business shall take place unless there is a quorum present. If within half an hour of the proposed starting time of the meeting a quorum is not present, then the meeting if arranged upon the request of the Executive Committee shall lapse. In any other case the meeting shall be adjourned to a time and place determined by the Executive Committee. If at the adjourned meeting a quorum is not present within half an hour from the arranged time, the Members present shall constitute a quorum for the purposes of that meeting.
- (i) The Chairperson may, with permission of any meeting where a quorum is present, adjourn the meeting, from time to time, and place to place.
- (j) The only business to be done at any adjourned meeting shall be business left unfinished.
- (k) The Executive Committee must give not less than fourteen (14) days notice of all general meetings except in the case of the AGM or a general meeting where a Special Resolution is proposed, in which case twenty-eight (28) days notice must be given. The notice may be given by sending it by post to the address of the Member appearing in the register of Members or by personally serving it on an Authorised Individual or if the Member is a person, the Member. A notice sent by post will be deemed to have been sent properly if sufficiently addressed and sent by ordinary pre-paid mail.
- (l) The notice described in sub-rule 17(k) must specify:
 - (i) when and where the meeting is to be held; and
 - (ii) particulars of the matters to be considered at the meeting and the order in which they are to be considered.
- (m) No business may be transacted at a Council meeting unless notice of the proposed motion is given to Members, either with or before the notification of the meeting. This rule does not preclude amendments to motions on notice.
- (n) Voting at Council meetings shall be restricted to Organisational Members, who shall each have one vote. An Organisational Member's vote must be exercised by its Authorised Individual unless the Organisational Member has nominated a proxy under sub-rule (o), in which case the Authorised Individual may not vote.
- (o) Any Organisational Member entitled to vote at a Council meeting may authorise in writing any person to exercise a proxy vote for it provided it has notified the Secretary, in writing on a form approved by the Executive Committee, at least three (3) days before the meeting. An Organisational Member may direct in writing the manner in which the proxy exercises its vote. A person who is a proxy has one vote on a show of hands.
- (p) At a Council meeting:

- (i) an ordinary resolution put to the vote will be decided by a majority of votes cast on a show of hands, subject to sub-rule (r); and
 - (ii) a Special Resolution will be decided by a majority of not less than 75% of persons entitled to vote, either in person or by proxy. 28 days' notice of the meeting specifying the proposed Special Resolution must have been given.
- (q) A declaration by the Chairperson of a Council meeting that a resolution has been passed as an ordinary resolution or Special Resolution at the meeting will be evidence of that fact unless, during the meeting at which the resolution or Special Resolution is submitted, a poll is demanded in accordance with sub-rule (r).
- (r) At a Council meeting, a poll may be demanded by the Chairperson or by three or more members present in person or by proxy and, if so demanded, must be taken immediately in such manner as the Chairperson directs. On a poll no person is entitled to cast more than five (5) proxy votes on any motion. A declaration by the Chairperson of the result of the poll is evidence of that fact.

18. MINUTES OF MEETINGS

- (a) The Secretary must ensure that proper minutes of all proceedings of all Executive Committee Meetings and Council meetings are taken and, within 30 days after the holding of the meeting, entered in a minute book kept for that purpose.
- (b) The Chairperson must ensure that the minutes are checked and signed as correct by the Chairperson of the meeting to which those minutes relate or by the Chairperson of the next succeeding Council Meeting or Executive Committee Meeting, as the case requires.
- (c) When minutes have been entered and signed as correct under this rule, they are, unless the contrary is proved, evidence that:
 - (i) the Council Meeting or Executive Committee Meeting to which they relate was duly convened and held;
 - (ii) all proceedings recorded as having taken place at the relevant meeting did in fact take place at the meeting; and
 - (iii) all appointments or elections purporting to have been made at the meeting have been validly made.

19. SUSPENSION AND TERMINATION OF MEMBERSHIP

- (a) Any Member may resign from the Council by advising the Executive Committee in writing. The resignation shall take effect at the time the notice is received, unless the notice specifies a later date, in which case the resignation shall take effect at that later date. The Secretary shall record the date that the person ceased to be a Member in the register.
- (b) If the Executive Committee believes that the Member or an employee of the Member has refused or failed to comply with the Council's Vision, Purpose, Objects or Constitution or has acted in a manner contrary to the interests of the Council, the Executive Committee may pass a resolution to:
 - (i) warn a Member, Authorised Individual or the employee of a Member;

- participation of an Authorised Individual of a Member for a specified period; or
 - (iii) terminate a Member from membership of the Council or ban the participation of an employee of a Member for a specified period.
- (c) Where the Executive Committee passes a disciplinary resolution under Rule 19(b), the Secretary shall advise the Member or person concerned in the same terms as Rule 20(a), and Rules 20(b), (c) and (d) shall apply.

20. APPEALS AGAINST REJECTION, SUSPENSION OR TERMINATION OF MEMBERSHIP

- (a) Where the Executive Committee passes a resolution to reject an application for membership by a person or an organisation, the Secretary or her delegate shall, as soon as possible notify the organisation or person in writing of:
- (i) the decision of the Executive Committee and the reasons for it;
 - (ii) their right to attend a meeting of the Executive Committee to present their case;
 - (iii) the date, time and place of that meeting; and
 - (iv) their right to give to the Executive Committee a written statement, or communication by other means approved by the Executive Committee, appealing against the resolution.
- (b) If the organisation or person attends the Executive Committee meeting for the purpose of appeal, the Executive Committee:
- (i) shall ensure that the organisation or person has a fair opportunity to be heard;
 - (ii) shall give due consideration to any written statement or other approved communication tendered; and
 - (iii) shall after consideration confirm, vary or revoke the original resolution.
- (c) If the organisation or person is still aggrieved following the Executive Committee's decision, they may request the Executive Committee to refer the matter to a Council meeting. When the Executive Committee determines to refer the matter to a Council meeting, it may direct that a special Council meeting be convened or may refer the matter to the next planned Council meeting.
- (d) Any decision made by a Council meeting is final.

21. GRIEVANCE APPEALS

- (a) For the purpose of this Rule, the lines of authority within the Council in ascending order is as follows:
- (i) Executive Committee;
 - (ii) the Council Employee designated by the Executive Committee; then
 - (iii) the Members.

and request that the matter be reviewed by the next entity within the lines of authority.

- (c) The matter shall be referred to the entity against whom the complaint is made for their written reasons for the decision concerned, after which Rules 20(b), (c) and (d) apply.

22. SUB-COMMITTEES

- (a) The Executive Committee may establish sub-committees as necessary to conduct its business and fulfil the Objects of the Council. The Executive Committee may delegate any of its powers to such sub-committees and make rules for regulating the proceedings of the sub-committees.
- (b) The term of members of a sub-committee is at the discretion of the Executive Committee.
- (c) The Executive Committee may appoint Associate Members and non-members to sub-committees.

23. SOURCES OF FUNDS

The Council may derive funds from Member's membership and subscription fees and contributions, grants and donations, fees for services provided, charges for activities and any other lawful source.

24. FUNDS AND ACCOUNTS

The Treasurer must ensure that all of the following actions are taken:

- (a) The funds of the Council are banked in the name of the Council in such bank as the Executive Committee may from time to time direct.
- (b) The Council maintains a bank account called the Gift Fund for the sole purpose of depositing gifts of money.
- (c) Proper books and accounts are kept and maintained which record and explain the Council's financial transactions and financial position so that true and fair accounts can be prepared and such accounts can be conveniently and properly audited.
- (d) Payments are made from the funds of the Council with the authority of a Council Meeting or Executive Committee meeting and all cheques are signed by himself or herself and at least one other authorised Executive Committee member, or by any two other Executive Committee members authorised by the Executive Committee.
- (e) All moneys are banked as soon as possible after receipt.
- (f) As soon as possible after the end of each financial year a statement is prepared showing the financial position of the Council and containing particulars of:
 - (i) income and expenditure for the year just ended; and
 - (ii) the assets, liabilities and of all mortgages, charges and securities affecting the property of the Council at the close of that year and the statement is presented at the AGM in accordance with Rule (17)(e)(iii).
- (g) Whenever requested by the Chairperson, a report, balance sheet or financial statement is submitted to the Executive Committee.

- (h) Any Member is allowed to inspect the books and records of account at any reasonable time after approval by the Executive Committee.

25. RECORD KEEPING

The Secretary must ensure that:

- (a) an up to date copy of this Constitution is maintained which is made available for inspection and copying by Members upon request to the Executive Committee; and
- (b) a record of the names and postal or residential addresses of all office holders of the Council is maintained and is available for inspection and copying by Members upon request.

26. DISSOLUTION OF THE COUNCIL

- (a) The Council may be dissolved at a general meeting by a Special Resolution to wind it up voluntarily. Notice of the Special Resolution must be given in accordance with Rule 17(k).
- (b) If a Special Resolution under Rule 25(a) is passed, the Executive Committee must cause a copy of the Special Resolution to be lodged with the Commissioner within 14 days after passing.
- (c) If upon the winding up or dissolution of the Council there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same must not be paid or distributed among the members or former members. The surplus property must be given or transferred to some other association incorporated under the Act which has similar objects and which is not carried out for the purposes of profit or gain to its individual members, and which association shall be determined by resolution of the members.
- (d) Prior to the winding up or dissolution of the Council the Members may by resolution at a Council meeting direct the Executive Committee to prepare a distribution plan for the distribution of the surplus property of the Council in accordance with sub-rule (c). If there is no such resolution, the Executive Committee must prepare a distribution plan in accordance with sub-rule (c).

27. ALTERATION OF THIS CONSTITUTION

- (a) This Constitution may be amended, rescinded or added to, by Special Resolution but not otherwise.
- (b) An alteration of this Constitution will not take effect unless
 - (i) a notice which sets out the particulars of the alteration; and
 - (ii) a certificate given by an Executive Committee member certifying that the Special Resolution was duly passed and that the altered Constitution complies with the Act;

are lodged with the Commissioner within one month of the passing of the Special Resolution.

Purposes of the Council does not take effect until sub-rules 27(a) and (b) are complied with and the approval of the Commissioner is given in accordance with the Act.

28. COMMON SEAL

- (a) The Executive Committee shall provide for a common seal of the Council on which the Council's corporate name appears.
- (b) Every use of the common seal must be:
 - (i) approved in advance or ratified within 2 months by the Executive Committee; and
 - (ii) recorded in the minute book referred to in Rule 18.
- (c) The affixing of the common seal must be witnessed by one Executive Committee member and an employee of the Council who has been authorised to do so by a resolution of the Executive Committee, or by two Executive Committee members.

29. FINANCIAL YEAR

The financial year of the Council shall commence on 1st July and end on 30th June of the following year.

30. NOTICES

The Executive Committee shall determine the way notice is given to Members unless stated otherwise in this Constitution.

31. AUDIT

- (a) The Council shall at the first AGM appoint a certified auditor by ordinary resolution. This shall be a person with sufficient experience to carry out capably the duties of auditor. This person shall not be a Member.
- (b) The Council may at any Council meeting terminate the appointment of an auditor.
- (c) If an auditor's appointment is terminated under sub-rule (b) or the auditor resigns, the Council may appoint a replacement auditor at the next Council meeting.
- (d) The Executive Committee shall submit to its auditor at the end of each financial year the statement prepared under Rule 24(f) and give the auditor access to accounting records of the Council to enable the auditor to audit the statement prior to submission to the AGM under Rule 17(e)(iii).

SCHEDULE 1

MEMBERSHIP

Category	Reference	Details
Category 1	Entities eligible for	Women's Refuge Service;

	Organisational Membership	<p>Women's Service;</p> <p>Regional Domestic Violence Coordinating Committee; and</p> <p>Domestic Violence Community Intervention Project.</p>
Category 2	Entities eligible for Associate Membership	<p>SAAP funded Women's Services and organisations</p> <p>Non SAAP funded DV services;</p> <p>Women's Services;</p> <p>Children's services;</p> <p>Aboriginal and Torres Strait Islander Services;</p> <p>Immigrant and NESB services;</p> <p>Sexual Assault services;</p> <p>Disability agencies and workers;</p> <p>Women's legal services;</p> <p>Women's health services;</p> <p>Women's housing and outreach services;</p> <p>Health professionals including community, GP's and nurses;</p> <p>Social workers, including those attached to hospitals;</p> <p>Youth agencies and workers;</p> <p>Schools, particularly counsellors;</p> <p>Legal and criminal justice workers and police;</p> <p>Family relationship agencies, counsellors and professionals;</p> <p>Community Members and students;</p> <p>Other state and territory peak bodies whose vision and purpose is compatible with the Council's purposes;</p> <p>Perpetrator programmes whose focus is on women's and children's safety</p> <p>National and International Non Governmental Organisations that support women's and children's safety.</p>

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