

HUNTER YOUTH MENTOR COLLABORATIVE INC.

1. NAME

1. The Association shall be known as the Hunter Youth Mentor Collaborative Inc.
2. HYMC shall be the recognized contraction of the Hunter Youth Mentor Collaborative Inc..

2. INTERPRETATION

In these rules, unless a contrary intention appears –

- * “Act” means the Associations Incorporation Act 1984 of New South Wales
- * “Collaborative” means the not-for-profit Association known as the Hunter Youth Mentor Collaborative.
- * “Committee” means the executive committee of the Hunter Youth Mentor Collaborative.
- * “Group Membership” means a group, association or corporation that provides youth mentoring services in the Hunter area.
- * “HYMC” means the Hunter Youth Mentor Collaborative.
- * “Region” means the Hunter Region as included within the local government areas of Newcastle, Lake Macquarie, Maitland, Port Stephens, Singleton, Muswellbrook, Upper Hunter, Great Lakes, Cessnock, Dungog and Gloucester.

3. STATEMENT OF OBJECTS

1. To provide members with opportunities to:
 - (a) Protect the image and integrity of youth mentor programs in the region.
 - (b) Encourage youth mentoring resources in the region to be strategically placed and not duplicated.
 - (c) Provide a forum for sharing relevant information such as research and best practice examples in the field of mentoring.
 - (d) Assist with the co-ordination of fund raising endeavours if required.
 - (e) Assist with the co-ordination of recruitment and training of mentors if required
 - (f) Assist with the co-ordination of the marketing and promotion of youth mentoring if required.
 - (g) To establish a public fund to award and maintain on merit or for reasons of equity, scholarships to individual mentored youths who reside within the region, and who are Australian

citizens or permanent residents of Australia, to promote their secondary or tertiary educational courses.

2. To be an umbrella organisation supporting youth mentoring programs in the region.
3. To accept an agreed definition of mentoring as “a mutually beneficial relationship which involves a more experienced person helping a less experienced person to identify and achieve their goals.”

4. ALTERATION OF OBJECTS

The objects of the Association may be altered by a special resolution of which proper notice has been given to a general meeting of the Association.

5 POWERS OF THE ASSOCIATION

1. To hold property both real and personal
2. To enter into contracts
3. To borrow finance to achieve the objects of the Association
4. To invest and change investments freely subject to the powers available to trustees under the Trustee Act (NSW) 1925 as amended
5. To employ staff as may be required from time to time.

6. MEMBERSHIP

1. There are 4 forms of membership:
 - Individual membership
 - Group membership
 - Honorary membership
 - Life membership
2. Any member is qualified to be a member of the Association if they are interested or involved in the objects of the Association and if they are prepared to abide by the rules of the Association set out in this constitution and by resolutions passed by a General Meeting of the Association or by the Committee of the Association.
3. A person may be admitted to honorary membership of the Association upon the recommendation of all committee members. Honorary membership may be granted for one year at a time.
4. Life membership may be conferred on an individual to honour his or her contributions to HYMC by agreement of the full committee.
5. The Secretary shall on behalf of the Association keep and maintain a register of members, and that register shall be so kept and maintained and shall be available for inspection, free of charge, by any member of the Association at any reasonable hour.

7. NOMINATION FOR MEMBERSHIP

1. Application for membership shall be made in writing signed by or on behalf of the applicant by an authorized person, and shall be in such form as the Committee shall prescribe from time to time.
2. Upon acceptance by the Committee, and where a subscription fee has been set by the Association and upon payment of that annual subscription the applicant shall be a member of the Association.

8. CESSATION OF MEMBERSHIP

A person ceases to be a member if the person:-

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the Association
- (d) in the case of group membership, that body ceases to exist.

9. MEMBERS LIABILITIES

The liability of any member of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association shall be limited to the amount of unpaid subscription fees.

10. FEES AND SUBSCRIPTIONS

1. The membership types and subscription fees shall be determined by the full Committee and ratified by a General Meeting of the Association
2. Where a subscription fee is determined and ratified then the subscription fee for each form of membership shall be paid annually on 1 January and renewed annually.
3. Any member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a member of the Association.

11. RESOLUTION OF INTERNAL DISPUTES

1. Disputes between members (in their capacity as members) of the Association, and disputes between members and the Association, are to be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983.
2. At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

12. DISCIPLINING OF MEMBERS.

1. A complaint may be made to the committee by any person that a member of the Association:
 - (a) has persistently refused or neglected to comply with a provision or provisions of these rules, or
 - (b) has persistently and willfully acted in a manner prejudicial to the interests of the Association
2. On receiving such a complaint, the committee:
 - (a) must cause notice of the complaint to be served on the member concerned, and
 - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
 - (c) must take into consideration any submissions made by the member in connection with the complaint
3. The committee may, by resolution, expel the member from the Association or suspend the member from membership of the Association if, or may issue a reprimand to the member, after considering the complaint and any submissions made in connection with the complaint, if it is satisfied that the facts alleged in the complaint have been proved.
4. If the committee expels or suspends a member or gives a reprimand, the secretary must within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee of having taken that action and of the members right of appeal.
5. The expulsion or suspension does not take effect:
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - (b) if within that period the member exercises the right of appeal, unless and until the Association confirms the resolution

whichever is the later.

13. RIGHT OF APPEAL OF DISCIPLINED MEMBER

1. A member may appeal to the Association in general meeting against a resolution of the committee under rule 12, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
2. The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
3. On receipt of a notice from a member under clause(1) the secretary must notify the committee which is to convene a general meeting of the Association to be held within 28 days after the date on which the secretary received the notice.
4. At a general meeting of the Association convened under clause (3):

- (a) no business other than the question of the appeal is to be transacted, and
- (b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
- (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (d) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

14. THE COMMITTEE

1. The committee is to be called the executive committee of management of the association and, subject to the Associations Incorporation Act, 1984 (NSW) the Regulations to the Act and these rules and to any resolution passed by the association in general meeting:

- (a) is to control and manage the affairs of the Association, and
- (b) may exercise all such functions as may be exercised by the Association, other than those functions that are required by these rules to be exercised by a general meeting of the members of the Association, and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Association

2. The committee is to consist of:

- (a) the office bearers of the Association,
- (b) 3 members of the Association, being either individual members or representatives of group members of the Association.

3. Subject in the case of members of the first committee, the committee is to be elected at an annual general meeting of the Association. Nominations for the positions of office bearers and of ordinary members of the committee may be received when called for at the annual meeting. Each member of the committee elected at annual general meeting shall serve a 12 month term.

4. A casual vacancy on the committee occurs if the member, dies, ceases to be a member of the Association, becomes insolvent under the Corporations Act 2001, resigns by notice in writing to the secretary, is removed from office by resolution of the committee, becomes a mentally incapacitated person, or is absent without the consent of the committee from all meetings of the committee held during a period of six months.

5. In the event of a casual vacancy occurring in the membership committee, the committee may appoint another person to the committee, that appointment to take into account the requirements of the committee as set out in paragraph 14(b).

6. There shall be a requirement for a quorum of 3 members of the committee to be present for the meeting to commence. In the event that a quorum of 6 members is not available within 15 minutes of the time published for the commencement of the meeting, then the meeting shall be adjourned for a period of up to 14 days and may then proceed in the absence of a quorum of that number.

7. The committee shall meet as may be required from time to time, but on at least 9 occasions during each year.

8. The secretary shall give at least 4 days notice of a committee meeting to each members of the committee.

9. The committee may appoint sub-committees from time to time to assist and advise the committee on specific matters, and those sub-committees may consist of other individual members or representatives of group members provided that a member of the committee shall be chairman of each sub-committee, and those sub-committees shall act under the directions of the committee

15. OFFICE BEARERS OF THE ASSOCIATION

1. The association may in general meeting elect the following office bearers of the association:
 - i. A Chairperson, whose duties shall be to chair the committee and general meetings of the Association and attend to such other duties as required by the committee from time to time.
 - ii. A Vice Chairperson whose duties shall be to chair the committee and general meetings of the Association in the absence of the Chairperson and attend to such other duties as required by the committee from time to time.
 - iii. A Secretary whose duties shall be to keep all records of the Association, the minutes of the meetings of the Association, to attend to correspondence, and to attend to such other duties as required by the committee from time to time.
 - iv. A Treasurer whose duties shall be to keep all records relating to the financial state of the Association, to attend to banking and to draw cheques and receipts as required from time to

time, and to attend to such other duties as required by the committee from time to time.

2. The Committee may from time to time appoint other office bearers as circumstances require.
3. In the event of a vacancy occurring by the resignation or otherwise of an office bearer, the committee may appoint another member of the Association to that position.

16. GENERAL MEETINGS.

1. The committee may call a Special General Meeting of the Association at any time, and shall call an Annual General Meeting in accordance with the Act.
2. The Association shall hold an Annual General Meeting within 4 months of the end of its financial year.
3. The quorum at any general meeting shall be 10 members, present or voting by proxy.
4. Upon a requisition in writing of not less than 20% of the total number of members of the association, the committee shall within one month of the receipt of the requisition, convene a Special General Meeting for the purpose specified in the requisition.
5. Every requisition for a Special General Meeting shall be signed by the members making the same and shall state the purpose of the meeting.
6. If a Special General Meeting is not convened within one month as required the requisitionists may convene a Special General Meeting. Such a meeting shall be convened in the same manner as a meeting convened by the Committee, and for this purpose the Committee shall ensure that the requisitionists are supplied free of charge with particulars of the members entitled to receive a notice of the meeting. The reasonable expenses of convening and conducting such a meeting shall be borne by the Association.
7. At least 14 days notice of any general meeting shall be given to the members. The notice shall set out where and when the meeting will be held, and particulars of the nature and order of business to be transacted at the meeting. In the case of the Annual General Meeting, the order of the business at the meeting shall be the consideration of the accounts and reports of the Committee and the auditors, the

appointment of auditors and committee members (if required) and any other business requiring consideration of the Association in general meeting.

8 Notice of a meeting at which a special resolution is to be proposed shall be given at least 21 days prior to the date of the meeting.

9. A notice may be given by the Association to any member by serving the member with the notice personally, or by sending it by post or electronic mail to the address appearing in the register of members.

10. Where notice is sent by post, service of the notice shall be deemed to be effected if it is properly addressed and posted to the member by ordinary prepaid mail.

11. Where notice is sent by electronic mail, service of the notice shall be deemed to be effected if it is properly addressed and recorded as having been sent.

17. PROCEDURE AT GENERAL MEETINGS

1. The chairperson of the committee, or in that persons absence the vice chairperson or in that persons absence, one of the committee members chosen at the meeting shall preside as chairperson at the meeting of the Association.

2. The chairperson may, with the consent of any meeting at which a quorum is present, and shall if so directed by the meeting adjourn from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

3. At any general meeting a resolution put to vote shall be decided on a show of hands, and a declaration by the chairperson of the meeting that a motion has been carried or lost, shall, unless poll is demanded be conclusive evidence of the fact, without proof of the numeric of proportions of the vote recorded in favour of, or against, the resolution.

4. If a poll is demanded by the chairperson of the meeting, or by three or more members present personally or by proxy, it shall be taken in such a manner as the chairperson directs. The result of such a poll shall be the resolution of the meeting, except in the case of a special resolution where a majority of not less than three quarters of the members who being entitled to do so vote personally or by proxy at the meeting is required.

5. On any question arising at a general meeting a member has one vote only.

6. All votes must be given personally or by proxy but no member may hold more than 5 proxies.

7. In the case of equality of votes the chairperson is entitled to exercise a second or casting vote.

8. Each person is entitled to appoint another member as proxy by written notice given to the secretary no later than 24 hours before the time of the meeting in respect to which the proxy is appointed.

18 FUNDS OF THE ASSOCIATION.

1. The funds of the association may be sourced from, but not limited to the following:
 - a. Donations
 - b. Membership fees
 - c. Income from activities of the association
 - d. Funding from governmental and private sources.
2. The funds of the association shall be managed by a committee person appointed as Treasurer of the association, that person acting under the directions of the association.
3. Cheques in payment of moneys due from the association shall be drawn with the approval of the committee, and shall be signed by any two of the Chairman, Vice Chairman or Treasurer.
4. The property and income of the Association shall be applied solely towards the promotion of the objects and purposes of the Association and no part of that property or income shall be paid or otherwise distributed, directly or indirectly, to the members of the Association, exception in good faith in the promotion of those objects or purposes.
5. The accounts of the Association shall be audited annually at the end of each financial year.

19. THE RULES OF THE ASSOCIATION

The rules of the association as delineated in this Constitution may be altered and rescinded and additional rules may be promulgated by special resolution of which proper notice has been given to a general meeting of the association.

20. CUSTODY OF THE BOOKS OF THE ASSOCIATION

The Secretary of the association shall have custody of the books, documents and securities of the association, and shall make them available for inspection by any member of the association, at a place and at a time suitable to the secretary.

21 COMMON SEAL

1. The common seal of the Association must be kept in the custody of the Secretary.

3. The common seal must not be affixed to any instrument except by the authority of the committee and the affixing must be attested by the signatures of 2 members of the committee.

22. WINDING UP

Upon the earlier winding up of the public fund referred to in clause 3(1)(g) of these Rules or the revocation of the endorsement of the fund as a deductible gift recipient the surplus assets of that fund shall be equally divided and paid to the relevant fund of such of the group members of the Collaborative who had a gift deductible fund.