

# CONSTITUTION

Registered 8.8.2019

## 1. NAME

The name of the incorporated association shall be the Barron River Catchment Management Association Incorporated. The name of the Management Committee shall be the Catchment Coordinating Committee (CCC).

## 2. OBJECTS

The objects for which the Association is established are to:

- (a) Develop and promote strategies for ecologically and socially sustainable development of the Barron River catchment in a constructive and balanced way.
- (b) Develop practical solutions to complex and interrelated problems in land and water use and management through public and government participation and in particular to assist in the development of a management plan for the Barron River catchment.
- (c) Promote community understanding of the interactions between land, water and related biological resources, and the value of a coordinated catchment wide approach for managing these resources, particularly within the Barron River Catchment.
- (d) Minimise detrimental environmental effects due to the use of land, water and related biological resources within and beyond the Barron River catchment boundaries.
- (e) To set up a public gift fund, to be called Barron Catchment Care Gift Fund, for the specific purpose of receiving donations and gifts which are tax deductible for the donor and which are to be used to support the established environmental objects Barron River Catchment Management Association Incorporated.
- (f) The Barron Catchment Care Gift Fund Gift Fund must comply with subdivision 30-E of the Income Tax Assessment Act 1997."

## 3. POWERS

The powers of the Association shall be

- (1) To subscribe to, or become a member of, or co-operate with any other association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the Association under these rules.
- (2) In furtherance of the objects of the Association to buy, sell and deal in all kinds of articles, commodities and provisions both liquid and solid, for the members of the Association or persons frequenting the Association's premises.

- (3) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the objects of the Association provided that in case the Association shall take or hold any property which may be subject to any trusts, the Association shall only deal with the same in such manner as is allowed by law having regard to such trust.
- (4) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; to obtain from any such Government or Authority any rights, privileges and concessions which the Association may think it desirable to obtain; and to carry out exercise and comply with any such arrangements, rights, privileges and concessions.
- (5) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workers and other persons as may be necessary or convenient for the purposes of the Association.
- (6) To remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the Association, or in or about the Association or promotion of the Association or in the furtherance of its objects.
- (7) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement maintenance, development, working, management, carrying out alteration or control thereof.
- (8) To invest and deal with the money of the Association not immediately required in such manner as may from time to time be thought fit.
- (9) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any monies and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the Association's property or assets present or future and to purchase, redeem or pay-off any such securities.
- (10) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- (11) In furtherance of the objects of the Association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.
- (12) To take any gift of property whether subject to any special trust or not for any one or more of the objects of the Association but subject always to the proviso in Rule (4).
- (13) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise.

- (14) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable for the promotion of its objects
- (15) In furtherance of the objects of the Association to amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of these rules.
- (16) In furtherance of the Association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- (17) To make donations for catchment management purposes.
- (18) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

#### **4. STRUCTURE OF THE ASSOCIATION**

The Association shall comprise 3 zone based committees called Zone Forums of community and government representatives, which will provide the grass roots input to the Association and a management committee called the Catchment Coordinating Committee, which will provide the management and coordinating role of approved and funded Projects.

#### **5. ZONE FORUMS (ZF)**

There shall be 3 Zone Forums, one for each of 3 distinct geographic sections of the catchment.

- (a) The Upper Barron Zone Forum for that part of the catchment hydrologically above the Tinaroo Falls Dam wall.
- (b) The Central Barron Zone Forum for that part of the catchment below the upper zone down to the top of the Barron Falls.
- (c) The Lower Barron Zone *Forum* for that part of the catchment below the central zone to the ocean.

#### **6. THE CATCHMENT COORDINATING COMMITTEE (CCC)**

- (1) The Catchment Coordinating Committee shall comprise:
  - (a) Two ordinary members from each of the three Zone Forums shall be elected by the respective Zone Forum at or prior to its last general meeting before the annual general meeting of the CCC. **These members shall be voting members.**
  - (b) Government members, local councils - one from each of the three regional councils in the catchment, Tablelands, Mareeba and Cairns **These members shall be voting members.**
  - (c) Government employee members, state and federal - a maximum of four representing departments with interests in the objects of the Association and the Catchment. **These members shall be non-voting (voting) members.**
  - (d) Parliamentarians, state and federal - any parliamentarian in whose electorate any part of the Barron catchment exists. **These members shall be non-voting members.**

(e) Special members: the CCC may invite any person to attend and be involved in the deliberations of the CCC as a Special Member for whatever period it sees fit. **These members shall be non-voting members.**

- (2) The Chairperson and Vice Chairperson of the Association shall be elected by the CCC from its members at the annual general meeting. The Chairperson shall have a deliberating vote but not a casting vote.
- (3) Nominations for the position of Chairperson and Vice Chairperson shall be received by the Secretary at least one week prior to the AGM. Nominations will be in writing and must indicate the nominee, nominator and seconder.
- (4) Nominations for the position of Secretary and Treasurer shall be received by the Secretary at least one week prior to the AGM. Nominations will be in writing and must indicate the nominee, nominator and seconder. The Treasurer and Secretary may be appointed from outside the CCC, in which case they shall be non-voting members.

#### **7. VACANCIES ON THE CATCHMENT COORDINATING COMMITTEE (CCC)**

- (1) The CCC shall have the power at any time to ask for nominations from the appropriate Zone Forum or government department or Council to fill any casual vacancy on the CCC until the next AGM.
- (2) The continuing members of the CCC may act notwithstanding any casual vacancy in the CCC, but if and so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the CCC, the continuing member or members may act for the purpose of increasing the number of members of the CCC to that number or of summoning a general meeting of the Association, but for no other purpose.

#### **8. FUNCTIONS AND OPERATIONS OF ZONE FORUMS (ZF)**

- (1) The Zone Forums will provide the grass roots access and involvement for the community to catchment management.
- (2) The Zone Forums will cede to the catchment coordinating committee the authority and power to make decisions for the whole of the catchment and the Zone Forums on matters that have impact or consequence beyond the boundaries of any Zone Forum.
- (3) The Zone Forums may make recommendations on matters wholly within and only affecting their zones and may delegate functions within these confines to the CCC for actioning as deemed suitable and practical, subject to funding
- (4) Each Zone Forum shall elect a chairperson for its meetings. In the event of the chairperson not being present within 10 minutes of the appointed commencement time of the meeting, the members present shall elect another member from those present to chair that meeting.
- (5) Each Zone Forum shall elect or appoint a minutes secretary to perform normal minutes secretarial functions including keeping a record of deliberations of each meeting
- (6) A Quorum for a Zone Forum meeting shall be one more than half the number of registered members of the Zone Forum at the close of the last meeting of that Zone Forum.

- (7) A Zone Forum may meet or adjourn as it sees fit.
- (8) A Zone Forum may co-opt assistance and appoint standing or ad-hoc committees as it thinks fit.
- (9) A Zone Forum may appoint no more than two special members at any one time to attend meetings and be involved in its deliberations but without the right to vote.
- (10) Zone Forum deliberations and resolutions should aim to achieve consensus amongst the members but where this cannot be achieved, matters requiring decisions shall be determined by a majority of votes of the members present. The chairperson shall have a deliberating vote but no casting vote. In the case of an equality of votes, the motion shall be deemed to be lost. There shall be no proxy voting.
- (11) Voting will be by the show of hands unless not less than one fifth of the members present demand a ballot, in which case there shall be a secret ballot. The chairperson shall appoint two members to conduct the secret ballot in such a manner as he/she shall determine and the result of the ballot shall be deemed to be the resolution of the meeting on that issue. There shall be no proxy voting.
- (12) Meetings of the Zone Forums shall be open to the public but a forum may as it sees fit move into committee for the purpose of having confidential deliberations.
- (13) The Secretary of the Zone Forums shall produce and keep indefinitely full and accurate minutes of all meetings and proceedings of the Zone Forum and such minutes shall be available for inspection by any member of the public at all reasonable times upon written request to the Secretary.

## **9. FUNCTIONS AND OPERATIONS OF THE CATCHMENT COORDINATING COMMITTEE**

- (1) Except as otherwise provided by these rules and subject to resolution of the members of the Association carried at any general meeting, the CCC
  - (a) shall have the general, control and management of the administration of the affairs, property and funds of the Association; and
  - (b) shall have authority to interpret the meaning of these rules and any matter relating to the Association on which these rules are silent; and
  - (c) shall be able to alter the by-laws as the need arises after having given two months to the zone forums for the purposes of discussion and consultation.
- (2) The CCC may exercise all the powers of the Association:
  - (a) to borrow or raise or secure the payment of money in such manner as the members of the Association may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the Association's property, both present and future, and to purchase, redeem or pay off any such securities;
  - (b) to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Brisbane for overdrawn accounts on money lent, whether the term of the loan be short or long and to mortgage or charge its

property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Association, and to provide and pay off any such securities; and

- (c) to invest in such manner as the members of the Association may from time to time determine.

**10. MEETINGS OF THE CATCHMENT COORDINATING COMMITTEE**

- (1) The CCC shall meet at least 10 times a year to exercise its functions.
- (2) A special meeting of the CCC shall be convened by the secretary within 2 weeks of receiving a requisition in writing signed by not less than one-third of the members of the CCC requesting such a meeting. Such requisition shall clearly state the reasons why such special meeting is to be convened and the nature of the business to be transacted thereat.
- (3) At every meeting of the CCC a simple majority of the number of ordinary members plus government members and local authorities appointed to the CCC as at the close of the last meeting of the CCC, shall constitute a quorum.
- (4) Subject as previously provided in this rule, the CCC may meet together and regulate its proceedings as it thinks fit. CCC deliberations and resolutions should aim to achieve consensus amongst the members but where this cannot be achieved matters shall be decided by a majority of votes. The Chairperson shall have a deliberating vote but no casting vote. In the case of equality of votes, the motion shall be deemed to be lost.
- (5) A member of the CCC shall not vote in respect of any contract or proposed contract with the Association in which he/she has a direct pecuniary interest, or any matter arising there out of and if he does so vote, his/her vote shall not be counted.
- (6) The chairperson shall preside as chairperson at every meeting of the CCC, or if there is no chairperson or if at any meeting he/she is not present within 10 minutes after the time appointed for holding the meeting, the vice-chairperson shall be chairperson or if the vice-chairperson is not present at the meeting then the members may choose one of their number to be chairperson for the meeting.
- (7) If within half an hour from the time appointed for the commencement of a CCC meeting a quorum is not present, the meeting, if convened upon the requisition of members of the CCC, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and such other time and place as the CCC may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.
- (8) Meetings of the CCC shall be open to the public but the CCC may as it sees fit move into committee for confidential deliberations.

- 11.** All acts done by any meeting of the CCC or of a sub-committee or by any person acting as a member of the CCC duly authorised by the CCC to act, shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the CCC or person acting as aforesaid, or that the members of the CCC or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the CCC.

12. A resolution in writing signed by a majority of the members of the CCC for the time being entitled to receive notification of a meeting of the CCC shall be as valid and effectual as if it had been passed at a meeting of the CCC duly convened and held. If such resolution consists of more than one document, each and every document shall be signed by those members.
13. **ANNUAL GENERAL OR GENERAL MEETINGS**  
The first general meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the Association, and at such place as the CCC may determine.
14. (1) The annual general meeting shall be held each year *within* 6 months of the end of the financial year and shall be open to the public as observers and advertised by public notice at least two weeks before the meeting.
- (a) Nominations for the Committee of the CCC are to be in the hands of the secretary 14 days prior to the set date. These nominations shall bear the name of the nominee and position nominated, the mover and seconder of the nomination
- (b) All nominations are to be made public via email 14 days prior to the meeting.
- (2) The business to be transacted at every annual general meeting, shall be:
- (a) the receiving of the chairperson's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the Association for the preceding financial year;
- (b) the receiving of the auditor's report upon the books and accounts for the preceding financial year;
- (c) the election of Chairperson and Vice Chairperson of the CCC.
- (d) the election of Secretary and Treasurer of the CCC
- (e) the appointment of an auditor, (treasurer and secretary;) and
- (f) the announcement of the membership of Zone Forums and the CCC.
15. Unless otherwise provided by these Rules, at every meeting of the CCC the conditions below will apply.
- (1) Voting shall be by show of hands unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot. The chairperson shall appoint two members to conduct the secret ballot in such manner as he/she shall determine and the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded. There shall be no proxy votes.
- (2) The secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every CCC meeting and annual general meeting to be recorded and be open for inspection at all reasonable times for any member upon written application to the secretary for that inspection. For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every CCC meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding CCC meeting verifying their accuracy.

## 16. MEMBERSHIP - CLASSES OF MEMBERS

The membership of the Association shall consist of the following classes members:

- (1) Ordinary members:
  - (a) An ordinary member is any member of the public who applies for membership upon the calling for applications for membership of a Zone Forum and is duly appointed to a Zone Forum by the process established in these rules.
  - (b) An applicant for ordinary membership may be someone nominated by a particular stakeholder group in the catchment or any other person who supports the objectives of the Association and is willing to act in accordance with the rules for the progress and benefit of the Association.
  - (c) The number of ordinary members shall be limited to 32 in each Zone Forum.
  - (d) Ordinary members are **entitled to vote** at Zone Forums.
  - (e) Two Ordinary members of each Zone may be elected to the CCC.
- (2) Government Members: Local Authorities
  - (a) The Barron River Catchment is located wholly within the local authority areas of Tablelands, Mareeba and Cairns.
  - (b) Each of these Councils shall have automatic membership of any Zone Forum for a zone which falls wholly or partly within its local authority boundaries.
  - (c) One elected local authority representative for each council shall be appointed by that authority to the CCC ie 3.
  - (d) Local authority representatives are **entitled to vote**.
- (3) Government members: State and Federal Employees (Discuss who these are)
  - (a) State and Federal membership is open to officers of state and federal government departments which may have interests and/or powers relevant to the objectives of this Association. These shall be a maximum of 4 such members on the CCC.
  - (b) State and Federal representatives are not eligible as representatives of their departments for positions on the Zone Forums.
  - (c) State and Federal representatives appointed to the CCC are non-voting members
- (4) Parliamentarians
  - (a) Parliamentarians are members elected to Parliament for areas that represent the catchment.
  - (b) Parliamentarians are entitled to attend Zone Forums and/or CCC meetings and be involved in any of the deliberations but **do not have the right to vote**.
  - (c) Parliamentarians cannot be elected to positions of office on the Zone Forums or CCC.
- (5) Associate members
  - (a) Associate members shall be persons who in the opinion of the Association have particular skills, interests or other attributes relevant to catchment management that are not available through other classes of membership or who are asked to join the Association for a specific task or period of time. After such time that position is closed.



- (b) Associate members are entitled to attend Zone Forums and/or CCC meetings and be involved in any of their deliberations but **do not have the right to vote**.
- (6) Life Members
  - a) Life membership can be awarded to a member of the CCC who has been deemed to have served a substantial term and who has contributed to the CCC in a manner beneficial to the organisation.
  - b) Life membership can be voted on at an Annual General Meeting or an extraordinary General Meeting called for that purpose.
  - c) Nomination for Life Membership shall be forwarded to the Secretary as in Clause 14 (1) (a) and (b).

**17. MEMBERSHIP APPLICATION**

- (1) Every person who at the date of incorporation of the Association was a member of the un-incorporated association shall be admitted by the CCC to the class of membership of the Association as that member held in the un-incorporated association.
- (2) New applicants to the Zone Forum will apply in writing to the Secretary of the CCC and address the following selection criteria:

Essential Criteria:

- 1. Ability to represent industry or interest group or community views.
- 2. Experience and/or knowledge and interest in natural resource management issues and their effect on the catchment and societies’ activities within the catchment.
- 3. Ability to work in an environment of cooperation and negotiation.

Desirable Criteria:

- 4. Identification with and/or membership of a group within the catchment.
- 5. Ability to sustain at least two years commitment to the zone forum.

- (3) The aim is for the Catchment Management process to be community driven with the community retaining the balance of representation rather than being government dominated. The Zone Forums shall be limited to 32 ordinary numbers representing as broadly as possible the interest groups within the zone. The following is an indicative but not exclusive list of the types of groups likely to be present and a suggested representation which might effectively achieve a suitable balance.

GROUP	NUMBER OF REPRESENTATIVES
Farming .....	8 different, industries
Other industries .....	4
Chamber of Commerce .....	2
Tourism .....	2
Conservation .....	4 different groups
Indigenous people .....	2
Recreation .....	4 different groups
Other community interests .....	6
TOTAL: .....	32

## **18. ADMISSION OF MEMBERS**

- (1) A selection panel consisting of the three Zone Forum chairpersons (or their delegate), the CCC chairperson (or his/her deputy), (and two councillors from the CCC as decided by the CCC) shall be responsible for the selection of members to the Zone Forums.
- (2) The applicants who best satisfy the selection criteria and provide a suitable balance of representation of the interest groups within the zone shall be offered ordinary membership on a Zone Forum.
- (3) Where a casual vacancy arises on a Zone Forum, it is the responsibility of that particular zone forum to decide who shall fill the vacancy. The contenders must be assessed against the selection criteria and in keeping with a broadly based representation of the interest groups within the zone, the Zone Forum may elect to appoint:
  - (a) someone previously assessed but unsuccessful, or
  - (b) call for two nominations from the group the departing member represented from which the Zone Forum could choose one, or
  - (c) appoint someone the committee with a two-thirds majority sees as meeting the aims and needs of the Zone Forum or
  - (d) call for fresh applicants for the vacancy.
- (4) Each year, one quarter of the ordinary members of each Zone Forum shall on a rotational basis vacate their positions and applications shall be called for by way of public notice and decided upon by the selection panel to refill these positions. Members vacating a position shall be eligible to reapply. The purpose of this provision is to provide the opportunity for change of membership while retaining a workable level of continuity. Any member who elects to resign concurrently with the normal rotational vacating of positions shall be replaced as normal casual vacancy.
- (5) Upon the acceptance or rejection of an applicant for membership, the secretary of the CCC shall forthwith give the applicant notice in writing of the outcome. Applicants offered membership shall accept such offer along with the rules of the Association in writing.

## **19. MEMBERSHIP FEES**

There are no fees for membership of the Association.

## **20. TERMINATION OF MEMBERSHIP**

- (1) Any member may resign from the association, Zone Forums and/or CCC at any time, by providing notice in writing to the Secretary of the CCC. Such resignation shall take effect at the time such notice is received by the Secretary unless a later date is specified in the notice.
- (2) If a member:
  - (a) is convicted of an indictable offence, or
  - (b) fails to comply with any of the provisions of the Rules, or
  - (c) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the association, or

(d) fails to attend 2 or more consecutive meetings of the Zone Forum or CCC without consent of the Chairperson of the Zone Forum or CCC,  
the CCC shall consider whether his/her membership shall be terminated.

(3) The member concerned shall be given a full and fair opportunity to present his/her case and if the CCC resolves to terminate his/her membership, it shall instruct the Secretary to advise the member in writing accordingly.

## **21. APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP.**

- (1) A person whose application for membership has been rejected or whose membership has been terminated may within 1 month of receiving written notification thereof, lodge with the secretary written notice of the person's intention to appeal against the decision of the management committee.
- (2) Upon receipt of a notification of intention to appeal against rejection or termination of membership the secretary shall convene, within 3 months of the date of receipt by the secretary of such notice, a general meeting to determine the appeal.
- (3) At any such meeting the applicant shall be given the opportunity to fully present the applicant's case and the management committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case.
- (4) The appeal shall be determined by the vote of the members present at such meeting.

## **22. REGISTER OF MEMBERS**

- (1) The CCC shall cause a Register to be kept in which shall be entered the names, residential addresses, phone numbers and class of membership of all positions admitted to membership of the Association and the dates of their admission, termination, change of class or position held.
- (2) Particulars shall also be entered into the Register, of deaths, resignations, terminations and reinstatement of membership and any further particulars as the CCC or the members at any general meeting may require from time to time.
- (3) The Register shall be open for inspection at all reasonable times by any member who previously applies to the Secretary for such inspection.

## **23. BY-LAWS**

The CCC may, from time to time, make, amend or repeal by-laws not inconsistent with these Rules for the internal management of the Association.

## **24. ALTERATION OF RULES**

1. Subject to the provisions of the Associations Incorporation Act 1981, these Rules may be amended, rescinded or added to from time to time by a special resolution carried at a general meeting.
2. However an amendment, repeal or addition is valid only if it is registered by the Office of Fair Trading.

**25. COMMON SEAL**

The CCC shall acquire a Common Seal and provide for its safe custody. The Common Seal shall only be used with the authority of the CCC and every instrument to which the seal is affixed shall be signed by the Chairperson of the CCC or in his/her absence by his/her deputy, and shall be countersigned by a second member of the CCC.

**26. FUNDS AND ACCOUNTS**

- (1) The funds of the Association shall be banked in the name of the Association in such bank as the CCC may from time to time direct.
- (2) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the Association and the particulars usually shown in books of a like nature.
- (3) All monies shall be banked as soon as practicable after receipt thereof.
- (4) All accounts shall be paid by Electronic Transfer of Funds which are authorised at the bank by the nominated committee member once approval of accounts have been submitted to a CCC meeting for payment. From time to time EFT payments may be required between meetings, these payments are to be approved by the executive prior to payment. Payment required by cheque to be signed by any two of the President, Secretary,, Treasurer or other member authorised from time to time by the Catchment Coordinating Committee, and shall be supported by some document which clearly indicates the purpose of the payment.
- (5) Cheques, if required, shall be crossed 'not negotiable'. (except those in payment of wages, allowances or petty cash recoupments which may be open.)
- (6) A Debit Card system may be put in place for small purchases required for the day to day operation of the CCC. All payments must be accompanied by the relevant receipts and documentation required by the Auditor.
- (6) The Catchment coordinating committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (7) All expenditure shall be approved or ratified at a CCC meeting.
- (8) As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement containing particulars of:
  - (a) the income and expenditure for the financial year just ended; and
  - (b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the Association at the close of that year.
- (9) All such statements shall be examined by the auditor who shall present his/her report upon such audit to the secretary prior to the holding of the annual general meeting next following the financial year in respect of which such audit was made.

## **27. THE GIFT FUND**

- (1) The environmental purpose of the Fund is to support the environmental objects the association.
- (2) The Fund will be used only to support the Association's environmental purposes.
- (3) Members of the general public are to be invited to make gifts of money or property to the Fund for the environmental purposes of the Association.
- (4) Money from interest on donations, income derived from donated property, and money from the realisation of such property are to be deposited into the Fund.
- (5) The Fund must not receive any other money or property, including corporate sponsorship money, and gifts to it are to be kept separate from other funds of the Association.
- (6) A separate bank account is to be opened to deposit money donated to the Fund, including interest accruing thereon and gifts are to be kept separate from other funds of the organisation
- (7) The organisation will comply with any rules that the Treasurer and the Minister with the responsibility for the environment may make to ensure that gifts made to the fund are only used for its principal purpose.
- (8) Receipts are to be issued in the name of the Fund and proper accounting records and procedures are to be kept and used for the Fund.
- (9) The Fund will be operated on a non-profit basis. None of the money or property accumulated by the Fund will be distributed to members of the Association apart from proper remuneration for administrative services.
- (10) In the event of the winding up of the Fund, any surplus assets are to be transferred to another fund with similar objectives that is on the Register of Environmental Organisations.
- (11) The Fund will be administered by the management committee of the Association of no fewer than three persons. A majority of the members of the committee are required to have the requisite degree of responsibility to the general community, that is, persons who, because of their tenure of some public office or their position in the community, have the degree of responsibility to the community as a whole as distinct from obligations solely in regard to the environmental objectives of the Association.
- (12) Any changes to the membership of the committee of management of the Fund or to the Rules of the Fund are to be advised to the Department of Environment & Heritage within a reasonable time following the making of the changes.
- (13) Statistical data about gifts to the Fund during the financial year will be provided to the Department within four months after the end of the financial year in the form required by the Department.

(14) An audited financial statement for the organization and its public fund will be supplied with the annual statistical return. The statement will provide information on the expenditure of the public monies and the management of public fund assets.

**28. NON PROFITABILITY**

The assets and income of the Association shall be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to the members of the Association except as bona fide remuneration for services rendered or expenses incurred on behalf of the organisation.

**29. CONDUIT POLICY**

The allocation of any funds or property to other organisations, persons or groups will be made in accordance with the established objectives of the association and not be influenced by the expressed preference or interest of a particular donor to the Association.

**30. DOCUMENTS**

The CCC shall provide for the safe custody of books, documents, instruments of title and securities of the Association.

**31. FINANCIAL YEAR**

The financial year of the Association shall close on the 30th June in each year.

**32. DISTRIBUTION OF SURPLUS ASSETS**

If the Association shall be wound up in accordance with the provisions of the Associations Incorporation Act 1981, and there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Association, but shall be given or transferred to the institution or institutions from whom the funds originated, on a pro rata basis in relation to the funds received from them, or to some other institution or institutions having objects similar to the objects of the Association, and which shall prohibit the distribution of its income and property among its or their members to an extent at least as great as is imposed on this Association under this rule.