**STATEMENT OF PURPOSE**

**AND**

**CONSTITUTION**

***Revised Copy 06 04 2020***

**STATEMENT OF PURPOSE AND**

**CONSTITUTION**

1. **NAME**

The name of proposed incorporated Association is **SERBIAN SOCIAL SERVICES AND SUPPORT INC. (SSSS INC.)** hereinafter referred to as the Association.

1. **MISSION**

To give you best care possible; the care that you deserve.

1. **STATEMENT OF PURPOSE**

The purpose for which the proposed incorporated association is established are:

* 1. Provide direct relief to Serbian clients who are suffering from poverty, sickness, disability, misfortune, helplessness, isolation, destitution and financial crisis.
  2. To work with other community organisations and forming partnership with them aiming to promote better health for Serbian community.
  3. To provide affordable and sustainable housing and accommodation service to Serbian community.
  4. To provide welfare and other community services to Serbian Community who are 65+ old, the sick, the disabled.
  5. Seek opportunities to encourage and facilitate education opportunities for the Serbian clients especially in health and safety issues.
  6. Provision of information to mainstream services and other stakeholders relating to advocating for change to policies and structures of Serbian Community.
  7. Development of community project which address the identified gaps and needs of the Serbian Community.
  8. The Serbian Social Services and Support Inc. will develop strong working relationship with other local, state and national organizations in order to address identified barriers to mainstream services for Serbian clients.
  9. Promote, strengthen and maintain the social and cultural integrity of Serbian Community.

1. **MEMBERSHIP**;
   1. All good **Serbs** and the friends of the **Serbs** have a right to apply for membership
   2. Membership in the Association can be:
      1. Regular or
      2. Honorary
   3. In order to become a regular member, the person should express a sincere willingness and join the Association and abide by his or her rights and responsibilities that are defined in this constitution and statement of purposes.
   4. A person becomes an honorary member when the Association wants to pay respect and tribute to the person for their outstanding contribution to the community.
   5. Youth members are the children aged between fourteen (14) and eighteen (18) who have their parents’ approval to join the Association. After turning 18, if they express the wish they can be transferred into regular membership
   6. The decision about accepting regular and youth members are made by the Committee of Management **(COM)**.
   7. The decisions about accepting honorary members are made by the membership of the Association either at an Annual General Meeting or at a Special General Meeting.
   8. Any person who wants to become a member of the Association must submit a written application to the Committee of Management.
   9. Applications **for new membership** shall be on the prescribed form (as attached to this Constitution) and shall be **nominated and seconded by two (2) current members** of the Association and shall be forwarded to the Secretary of the Association.

**Membership Expiry**

The expiring of membership can be due to:

* 1. Resigning (withdrawing),
  2. Expelling
  3. Death,
  4. Lapsing (non-payment of annual fees).

1. **RESPONSIBILITIES AND RIGHTS OF MEMBERS**
   1. To elect and be elected to the Committee of Management and sub-committees as may be appointed;
   2. To actively participate in work and contribute to a good reputation and success of the association;
   3. To observe the major purposes of the **Constitution** and to accept all responsibilities and duties arising from the **Constitution** and regulations which may be adopted by the Committee of Management;
   4. To pay membership dues annually.
2. **ORGANISATIONAL STRUCTURE OF THE ASSOCIATION**

The organisational structure of the Association shall consist of:

* 1. Meetings of all the Members at Annual General Meetings and Special General Meetings
  2. A Committee of Management, comprising of ten (10) members elected annually and
  3. A Supervisory board of three (3) persons, comprising of a President and two (2) members, elected annually

1. **RESPONSIBILITIES AND RIGHTS OF THE SUPERVISORY BOARD**

The Supervisory Board shall review the activities of the Committee of Management and intervene if the Committee of management breaches the Constitution by taking the following action:

* 1. Freeze the activities of the Committee and
  2. Call a special Meeting within 14 days.

1. **ANNUAL GENERAL MEETING AND SPECIAL GENERAL MEETINGS**
   1. The Annual General Meeting is the highest organ of the Association and it receives reports from the Committee of Management and the Supervisory Board and acts on these reports to carry out the Association’s statutory requirements.
   2. The Association shall in each calendar year convene an Annual General Meeting of its members. Section 30 of the Act provides that an Incorporated Association shall at least once in each calendar year convene a general meeting, to be called an Annual General Meeting.
   3. Written notice about holding the Annual General Meeting is given to the members at least 14 days before the meeting with a copy of the agenda for the meeting.
   4. The Annual General or Special General Meeting is opened and run by the Chairperson of the Committee of Management until the election of the Chairperson of the Meeting, a minute secretary and two (2) other members (all of whom are members of the Association) who help the Chairperson to run the meeting.
   5. For Annual General or Special General Meetings 20% of members or thirty (30) members whichever is the greater personally present constitute a quorum.

**The business at the General Meeting shall be to**:

* 1. confirm the minutes of the proceeding Annual General Meeting or any other general meeting held since the last Annual General Meeting;
  2. elect Officers and ordinary members of the Committee of Management;
  3. elect the Supervisory Board;
  4. elect honorary members of the Association;
  5. receive and consider the annual report of the Committee of Management, including an audited financial statement;
  6. determine the amount of the membership fee;
  7. address any other matter of which notice has been given in accordance with the constitution.

1. **THE SPECIAL GENERAL MEETING OF THE ASSOCIATION**
   1. Special General meetings are held in extraordinary situations and they are convened by the Committee of Management on their own decision, or by the Supervisory Board, or by 25% of the members of the Association who notify the Committee of Management in writing and in accordance with this constitution giving full details of their concerns and specifying what business is to be addressed at the Meeting.
   2. The Special General Meeting only deals with questions and matters which have been listed in the notice calling for Meeting.
   3. The notice given to members shall be in the same way as with the Annual General Meetings.
2. **THE COMMITTEE OF MANAGEMENT**
   1. Ten (10) members of the association shall be elected to the Committee of Management at the Annual General Meeting and they shall hold office until the next Annual General Meeting.
   2. The executive position which will be elected separately and will comprise of:
      1. Chairperson;
      2. Deputy Chairperson;
      3. Secretary;
      4. Treasurer;
   3. There will be six (6) other members elected to the position of ordinary Committee members.
   4. All members of the Committee of Management and the Supervisory Board are eligible for re-election.

**Rights and responsibilities of the Committee of Management are to**:

* 1. Direct the life and work of the Association according to the constitution and the decisions made on the Meetings,
  2. Represent the Association before government agencies, institutions and other organisations,
  3. Manage the resources and personnel of the Association including directing the work of employees, collecting and distributing as appropriate all grants, donations and other monies from the community and government sources,
  4. Keep complete documentation of their activities on behalf of the Association,
  5. Direct the activities of the Association and make sure that the purposes are carried out in the spirit of the major principles of the Association,
  6. The quorum for Committee of Management meetings shall be five (5) committee members.

1. **SUPERVISORY BOARD**
   1. The members of this board are elected annually at the AGM and will consist of the Chairperson and two (2) members.
   2. The members of this board are elected annually at the AGM and will consist of the Chairperson and two (2) members.
   3. The Chairperson of the Supervisory Board attends the meetings and takes part in the work of the Committee of Management but has no rights to make decisions or to vote.
   4. If this Board observes any irregularities concerning the work of the Committee of Management and regards it necessary, they can convene a Special General Meeting of the Association.
   5. The quorum for any meetings for the Supervisory Board is two members of the Board.
2. **THE WAYS OF MAKING DECISIONS**
   1. For Committee of Management meetings, a decision is carried if more than half the members present vote in favour of the motion; in the event of a tied vote, the Chairperson has a second or deciding vote.
   2. For **AGM** (Annual General Meeting) and **SGM** (Special General Meeting) a decision is carried if two-thirds of the members present vote in favour of the motion; in the event of a tied vote, the Chairperson has a second or deciding vote.
   3. Voting is performed publicly by raising the hand unless otherwise determined by the meeting.
3. **WINDING UP OR CANCELLATION**

In the case of ending (cessation) of the work of the Association the following actions are to be taken:

* 1. Calling a Special General Meeting to vote on the cancellation of the Association;
  2. Giving written notice to the relevant authorities;
  3. Issuing a proclamation to the members and the public about the cessation of work;
  4. Returning or distributing the assets of the Association according to the decision of the Meeting.

1. **COMMITTEE OF MANAGEENT**
   1. The affairs of the Association shall be managed by a Committee of Management constituted as provided in rule 21.
   2. The Committee:
      1. shall control and manage the business and affairs of the Association;
      2. may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by general meetings and special general meetings of the members of the Association; and
      3. subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association

**The OFFICERS OF THE ASSOCIATION shall be**:

* + 1. A chairperson
    2. A vice-chairperson
    3. A treasurer and
    4. A secretary
       1. The provision of Rule 23 so far as they are applicable and with the necessary modification, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause (1).
       2. Each officer of the Association shall hold office until the Annual General Meeting next after the date of his election but is eligible for re-election.
       3. In the event of a casual vacancy in any office referred to in sub-clause (1), the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of his appointment.

1. **ELECTION OF OFFICERS AND VACANCY**

Nominations of candidates for election as members of the Committee:

* 1. Shall be made in writing, signed by two members of the Association and accompanied by written consent of the candidate (which may be endorsed on the form of nomination); and personal profile of the candidate.
  2. Shall be delivered to the secretary of the Association not less than (14) days before the date fixed for the holding of the Annual General Meeting.
  3. The ballot for the election of the Committee shall be conducted at the Annual General Meeting by a show of hands of the membership.
  4. Newly elected members of the Committee shall elect among themselves the office bearers as per clause 17 (1).

1. **PROCEEDINGS OF COMMITTEE**
   1. The Committee shall meet at least twelve (12) times in a year at such place and such times as the Committee may determine.
   2. Any four (4) members of the Committee constitute a quorum for the transaction of the business of a meeting of the committee.
   3. No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week.

**At meetings of the committee**:

* + 1. the chairperson or in his absence the vice-chairperson shall preside; or
    2. if the chairperson and the vice-chairperson are absent, such one of the remaining members of the committee as may be chosen by the members present shall preside.

1. **SECRETARY**

The Secretary of the Association shall keep minutes of the resolutions and proceedings of each general meeting and of each committee meeting in books provided for that purpose together with a record of names of persons present at the Committee meetings. The Secretary may delegate the taking of minutes to other Committee members but retains the responsibility.

1. **TREASURER**

The Treasurer of the Association:

* 1. Shall collect and receive all moneys due to the Association and make all payments authorised by the committee, and
  2. Shall keep correct accounts and books showing the financial affairs of the Association with full details of the receipts and expenditure connected with activities of the Association.

The accounts and books referred to in sub-clause 9 (b) shall be available for inspection by members.

1. **REMOVAL OF MEMBER OF COMMITTEE**

The Association in general meeting may by resolution remove any member of the committee before the expiration of his/her term of office and appoint another member in his/her stead to hold office until the expiration of the term of the first appointed member.

1. **CHEQUES**

All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two office members.

1. **SEAL**
   1. The Common Seal of the Association shall be kept in the custody of the Secretary.
   2. The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures of two members.
2. **WINDING UP OR CANCELLATION**

In the event of the wind up or cancellation of the incorporation of the Association, the assets of the Association shall be disposed of in accordance with the provision of the Act, provided that all assets which are acquired by the Association with funds derived from the Commonwealth of Australia, State Government or Local Government which is on or about the premises of the Association upon dissolution shall be returned to the respective body or disposed of as directed by a properly authorised officer of the respective body. Remaining assets to be given to charity or any other organisation with similar aims and purposes as above which is not carried on for the profit or gain of its individual members.

1. **CUSTODY OF RECORDS**

Except as otherwise provided in these rules, the Secretary shall keep in his/her custody or under his/her control all books, documents and securities of the Association.

1. **FUNDS**

The funds of the Association shall be derived from annual subscriptions, donations, Commonwealth, State and Local Governments, grants and other sources as the Committee determines. Where funds obtained from bodies such as the Commonwealth of Australia, State Government or Local Government are used to purchase capital items, such capital equipment shall at all times remain the absolute property of these bodies and may be kept at the Association at its premises.

1. **ASSETS AND INCOME**

The assets and income of the Association shall be applied solely to further its objects and no portion shall be distributed directly or indirectly to the members of the Association except as genuine compensation for services rendered or expenses incurred on behalf of the Association.