

CONSTITUTION
THE FOLK & DECORATIVE ARTISTS' ASSOCIATION of AUSTRALIA INC.

The Association shall be called The Folk & Decorative Artists' Association of Australia Inc.

1. AIMS & OBJECTIVES

1. The Association is not a commercial organisation.
2. The aim is to bring together artists by:
 - a. encouraging all folk, decorative and naïve artists to further develop skills.
 - b. freely exchanging information and working with similar associations.
 - c. promoting opportunities for the appreciation and understanding of various folk art styles.
3. In the event of the winding up of the Association the property shall be distributed in accordance with Section 53 of the Association's Incorporations Act, 2009

2. MEMBERSHIP

1. Membership is open to all interested parties.
2. A person is eligible to be a member of the Association if:
 - a. the person has applied for membership on the approved form and,
 - b. paid the required membership fee and
 - c. lodged their membership form with the membership secretary

3. CESSATION OF MEMBERSHIP

1. Membership shall cease upon resignation, death, and expulsion from the Association or shall be deemed to have terminated when the member's subscription is three months in arrears.

4. REGISTER OF MEMBERS

1. A register of members shall be kept by the Membership Secretary:
 - a. within New South Wales
 - b. showing the name, address and date of commencement of membership of each member.
2. The register must be open for inspection, free of charge, by any member of the Association at any reasonable hour (except as in (3) below).
3. If a member of the Association requests that any information about the member, other than their names, be kept confidential, that information must not be available for inspection.
4. A list of member's names and addresses are not to be given to any commercial group or used for private advertising, unless required by law.
5. A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
 - a. the purposes of sending the person a newsletter, a notice in respect of a meeting or other material relating to the Association, or
 - b. any other purpose necessary to comply with a requirement of the Act or the Regulation.
6. Provision for noting the date of cessation of membership shall also be contained in the register

5. FEES AND SUBSCRIPTIONS

1. The Committee shall determine membership fees.

2. These shall fall due on the first day of each financial year.
3. The financial year shall be from January 1 to December 31 or such other period as is determined by the Committee.
4. A minimum of one years subscription shall be payable to the Association regardless of the date of admission.
5. Payment of subscription shall entitle a member to one vote at the Annual General Meeting and General Meetings held within that year and to receive any mail outs.

6. MEMBER'S LIABILITY

1. The members of the Association shall have no liability to contribute towards the payment of debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association except to the amount of any unpaid membership fees.

7. DISCIPLINING OF MEMBERS

1. The procedure for disciplining members shall be determined by the Committee. Anyone who wishes to appeal against a decision may do so at the next general meeting of the Association.

8. RESOLUTION OF DISPUTES

1. A dispute between a member and another member (in their capacity as members) of the Association , or a dispute between a member or members and the Association, are to be referred to a community justice centre for mediation under the Community Justice Centres Act 1983.
2. If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.
3. Any such dispute will be referred to arbitration under the Commercial Arbitration Act 1984.

9. RIGHT OF APPEAL OF DISCIPLINED MEMBER

1. A member may appeal to the Association in a General Meeting against a disciplinary action within 7 days after the member being notified, by lodging a notice with the Secretary to that effect.
2. On receipt of a notice from a member, 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.
3. At the General Meeting of the Association:
 - 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.
4. The appeal is to be determined by a simple majority of votes cast by members of the Association.

10. POWERS OF THE COMMITTEE

1. The Association shall have its affairs controlled and managed by the office bearers and other members known as the Committee.
2. The Committee 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 other than those which must be exercised by a General Meeting of members.

11. COMPOSITION AND MEMBERSHIP OF THE COMMITTEE

1. The office bearers shall be a President, Vice President, Honorary Secretary and Honorary Treasurer. (known as the Executive) There shall be up to twenty other members of the Committee who shall be active members of the Association.
2. A Committee member may hold up to two offices (other than both the President and vice-President offices).
3. The Executive and Committee shall be called the General Committee.

12. ELECTION OF COMMITTEE MEMBER

1. The office bearers and other members of the Committee shall be elected at the Annual General Meeting held before June each year.
2. Each Committee member is eligible for re-election.
3. Any member may be nominated as an office bearer of the Association and application shall be lodged on an official application form.
4. Each nomination must be:
 - a. made in writing, signed by two members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination, and
 - b. must be delivered to the Secretary of the Association at least seven days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
5. If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations are to be received at the Annual General Meeting.
6. If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
7. Members of the Committee shall hold office from the date of their election or appointment until the next Annual General Meeting.
8. Any vacancy occurring in the Committee may be filled by a member appointed by the Committee.

13. SECRETARY

1. It is the duty of the Secretary, or his/ her appointed delegate, to keep records of:
 - a. all appointments of office bearers and members of the Committee, and
 - b. a file of correspondence, and
 - c. the names of members of the Committee present at a Committee Meeting or a General Meeting, and
 - d. all proceedings at Committee Meetings and General Meetings.
2. These records shall be available for inspection by any member and shall be held in the custody of the Secretary.

14. TREASURER

1. It is the duty of the Treasurer of the Association to ensure:
 - a. that all money due to the Association is collected and received and that all payments authorised by the Association are made and,
 - b. that correct accounts are kept showing the financial affairs of the Association, including full details of all receipts and expenditure connected with the activities of the Association.
 - c. that these records shall be available for inspection by any member.

2. The signatories for the bank account shall be President, Vice-President, Secretary, Treasurer with provision for any two to sign.

15. PUBLIC OFFICER

1. The Committee shall, as necessary, appoint/remove a Public Officer – who may be a Committee member, an ordinary member or a person outside the Association.

16. COMMITTEE MEETINGS AND QUORUM

1. The Committee shall meet as often as necessary to conduct the business of the Association and not less than once in each three months.
2. Additional meetings of the Committee may be convened by the President or any two members of the Committee.
3. The quorum for meetings of the Committee shall be one half the number of Committee members elected at the previous AGM and no business can be transacted without a quorum.
4. Notice of Committee Meetings shall be given at the prior Committee Meeting or by such means as the Committee may decide upon and be followed by an agenda specifying the general nature of the business to be transacted.
5. At Committee Meetings:
 - a. the President or, in the President's absence, the Vice-President, shall act as chairperson at each Committee Meeting.
 - b. if the President and Vice-President are absent from a meeting or unwilling to act, the members present at the meeting shall elect one of their number to act as chairperson.

17. DELEGATION BY COMMITTEE TO SUB-COMMITTEE

1. The Committee may delegate to one or more Sub-Committees.
2. The President, Secretary and Treasurer may be ex-officio members of any such Sub-Committee.
3. The Committee may continue to exercise any function delegated.
4. A Sub-Committee may meet and adjourn as it thinks proper.
5. Any act or thing done by a Sub-Committee acting under delegation has the same force and effect as it would have as if the Committee had done it.

18. VOTING AND DECISION

1. Questions arising at any meeting of the Committee, Sub-Committee, or at General Meetings, shall be decided by the majority of votes of those present:
 - a. Each member has one vote and there shall be no voting by proxy.
 - b. In the case of an equality of votes on a question at a meeting the chairperson of the meeting is entitled to exercise a second or casting vote.

19. ANNUAL GENERAL MEETINGS

1. The Annual General Meeting shall be held within six months of the close of the Association's financial year at a place and time the Committee thinks fit and must be specified as such in the notice convening it.
2. The following business shall be transacted:
 - a. Confirmation of the Minutes of the previous Annual General Meeting.
 - b. Receipt of the Committee's report on the activities of the Association in the last financial year.
 - c. Election of office bearers and other members of the Committee.
 - d. Receipt and consideration of the financial report.

20. GENERAL MEETINGS

1. Notice of all General Meetings shall be given to all members by appropriate means.
2. At General Meetings:
 - a. the President or, in the President's absence, the Vice-President, shall act as chairperson.
 - b. if the President and Vice-President are absent from a meeting or unwilling to act, the members present shall elect one of their number to act as chairperson.
3. No business shall be transacted at any General Meeting unless a quorum of members (ten per cent of Sydney metropolitan membership) is present at the time when the meeting proceeds to business.
4. Any member can bring any business before a General Meeting.
5. The Committee may, whenever it thinks fit, convene a Special General Meeting of the Association.

21. MISCELLANEOUS

1. Sources and Management of Funds
 - a. The funds of the Association shall be derived from fees of members, donations, commissions, grants and such other sources approved by the Association.
 - b. The income and property of the Association shall be used only for the pursuance of the objects of the association in such manner as the committee determines.

22. INSURANCE

1. The Association shall effect and maintain insurance.

23. CHANGE IF NAME, OBJECTS AND CONSTITUTION

1. An application to the Director-General for registration of a change in the association's name, objects or constitution in accordance with Section 10 of the Act is to be made by the public officer or a committee member.

24 CUSTODY OF BOOKS ETC

1. All records, books and other documents relating to the association will be held by an appropriate member of the Committee

25. INSPECTION OF BOOKS ETC

1. The following documents must be open to inspection, free of charge, by a member of the association at any reasonable hour.
 - a. records, books and other financial documents of the association,
 - b. this constitution,
 - c. minutes of all committee meetings and general meetings of the association.
2. A member of the association may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.