

Constitution

Byron Community Primary School Incorporated

Under the Associations
Incorporation Act 2009



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Part 1 - Preliminary

1. Definitions

1.1 In this Constitution:

Board means and includes Board of Directors.

Director- General means the Director- General of the Departments of Services, Technology and Administration.

Ordinary Board of Directors member means a member of the Board of Directors who is not an office-bearer of the Association.

Secretary means:

- a) the person holding office under this Constitution as Secretary of the Association, or
- b) if no such person holds that office - the Public Officer of the Association.

School means Byron Community Primary School Incorporated.

School Council means and includes the Association.

Special general meeting means a general meeting of the Association other than an annual general meeting.

The Act means the *Association Incorporation Act 2009*.

The Regulation means the Associations Incorporation Regulation 2010.

1.2 In this Constitution:

- a) a reference to a function includes a reference to a power, authority and duty, and
- b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

1.3 The provisions of the *Interpretation Act 1987* apply to and in respect of this Constitution in the manner as those provisions would so apply if this Constitution were an instrument made under the Act.

2. Objects

The objects of the Association are to provide education to primary school students in the Byron Shire and surrounding areas.

Part 2 – Membership

3. Membership Qualifications

A person is eligible for membership of the Association if:

- a) the person is a natural person; and
- b) is a parent or guardian of a student currently enrolled at the School; or
- c) is a member of School staff whether full time, part time or contractor.

4. Cessation of Membership

A person ceases to be a member of the Association if the person:

- a) dies, or
- b) resigns membership, or
- c) is expelled from the Association, or
- d) as parent or guardian, fails to pay student tuition fees and levies or enter into a satisfactory payment arrangement within 14 days after the fees are due, or
- e) fails to strictly comply with a payment arrangement with respect to students tuition fees and levies,
- f) no longer has a child enrolled at the School, or
- g) is no longer a member of School staff.

5. Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the Association:

- a) is not capable of being transferred or transmitted to another person, and
- b) terminates on cessation of the person's membership.

6. Resignation of Membership

- 6.1 A member of the School Council may resign from membership of the School Council by first giving to the Secretary written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- 6.2 If a member of the School Council ceases to be a member under clause 6.1, and in every other case where a member ceases to hold membership, the Secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7. Register of Members

- 7.1 The Public Officer of the Association must establish and maintain a register of members of the Association specifying the name and postal or residential address of each person who is a member of the Association together with the date on which the person became a member.
- 7.2 The register of members must be kept in New South Wales:
 - a) at the main premises of the Association, or
 - b) if the Association has no premises, at the Association's official address.
- 7.3 The register of members must be open for inspection, free of charge, by any member of the Association at any reasonable hour.
- 7.4 A member of the Association may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- 7.5 If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.

- 7.6 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 event relating to the Association or other material relating to the Association; or
 - b) Any other purpose necessary to comply with a requirement of the Act or the Regulation.

8. Fees and subscriptions

- 8.1 A member of the Association is not required to pay any fee on admission to membership but must qualify for membership in accordance with clause 3.
- 8.2 A member of the Association is not required to pay any additional annual membership fees but must ensure all student tuition fees and levies payable are paid, or a satisfactory payment arrangement is entered into within 14 days after the fees are due.

9. Members' liabilities

The liability of a 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 is limited to the amount, if any, unpaid by the member in respect of their child's school fees.

10. Resolution of disputes

- 10.1 A dispute between a member and another member (in their capacity as members) of the Association, or a dispute between a member and members and the Association, are to be referred to a community justice centre for mediation under the *Community Justice Centres Act 1983*.
- 10.2 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.
- 10.3 The *Commercial Arbitration Act 1984* applies to any such dispute referred to arbitration.

11. Disciplining of members

- 11.1 A complaint may be made to the Board of Directors by any person that a member of the Association:
- a) has refused or neglected to comply with provision or provisions of this Constitution, or
 - b) has willfully acted in a manner prejudicial to the interests of the Association.
- 11.2 The Board may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- 11.3 If the Board decides to deal with the complaint, the Board:
- 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 of notice is served within which to make submissions to the Board in connection with the complaint, and

- c) must take into consideration any submissions made by the member in connection with the complaint.
- 11.4 The Board may, by resolution, expel the member from the Association or suspend the member from membership of the Association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- 11.5 If the Board expels or suspends a member, 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 Board for having taken that action and of the member's right of appeal under clause 12.
- 11.6 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 under clause 12, whichever is later.

12. Right of appeal of disciplined member

- 12.1 A member may appeal to the School Council in Special general meeting against a resolution of the Board of Directors under clause 11, within 7 days after notice of the resolution is served on the member, by lodging with the Secretary a notice to that effect.
- 12.2 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.
- 12.3 On receipt of a notice from a member under clause 12.1, the Secretary must notify the Board which is to convene a special general meeting of the School Council to be held within 28 days after the date on which the Secretary received the notice.
- 12.4 At a special general meeting of the School Council convened under clause 12.3:
 - a) no business other than the question of the appeal is to be transacted, and
 - b) the Board 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.
- 12.5 The appeal is to be determined by a simple majority of votes cast by members of the Association.

Part 3 – The Board of Directors

13. Powers of the Board of Directors

Subject to the Act, the Regulation and Constitution and to any resolution passed by the Association in general meeting, the Board of Directors:

- a) is to control and manage the affairs of the Association;
- b) may exercise all such functions as may be exercised by the Association other than those functions that are required by this Constitution to be exercised by a general meeting of members of the Association;

- c) has power to perform all such acts and to do all such things as appear to the Board to be necessary or desirable for the proper management of the affairs of the Association;
- d) is responsible for formation of the school policy and development of the schools' future vision; and
- e) calls School Council meetings including the Annual General Meeting and Board meetings.

14. Composition and membership of the Board of Directors

- 14.1 The Board of Directors is to consist of a minimum of 5 and maximum of 8 members and shall consist of:
- a) the office-bearers of the Association; and
 - b) at least three ordinary board members, each of whom is elected at the Annual General Meeting of the Association under clause 15;
 - c) The Principal and Finance Manager of the school are both voting members and legally and financially responsible in the same status as the elected board members are.
- 14.2 The total number of the Board shall not exceed eight members.
- 14.3 The office-bearers of the Association are as follows:
- a) the Chairperson,
 - b) the Finance Manager,
 - c) the Secretary
- 14.4 A Board member may hold up two offices.
- 14.5 Each member of the Board is, subject to this Constitution, to hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.

15. Election of Board members

- 15.1 Nominations of candidates for election as office-bearers of the Association or as ordinary Board members:
- a) must be 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 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- 15.2 If insufficient nominations are received to fill all vacancies on the Board, the candidates nominated are taken to be elected and further nominations are to be received at the Annual General Meeting.
- 15.3 If insufficient further nominees are received, any vacant positions remaining on the Board are taken as casual vacancies.
- 15.4 If the number of nominees received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- 15.5 If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

- 15.6 The ballot for the election of office-bearers and ordinary Board members of the Board is to be conducted at the Annual General Meeting in such usual and proper manner as the Board may direct.
- 15.7 A person nominated as a candidate for election as an office-bearer or as an ordinary Board member of the Association must be a member of the Association.

16. Secretary

- 16.1 The Secretary of the Association is the Principal of the School and must, as soon as practicable after being appointed as Secretary, lodge notice with the Association of his or her address.
- 16.2 It is the duty of the Secretary to keep minutes of:
- a) all appointments of office-bearers and members of the Board of Directors, and
 - b) the names of the members of the Board present at a Board meeting or a general meeting, and
 - c) All proceedings at the Board meetings and general meetings.
- 16.3 Minutes of proceedings at a meeting must be signed by the Chairperson of the meeting or the Chairperson of the next succeeding meeting.

17. Treasurer

The Treasurer of the Association is the Finance Manager of the School and it is the duty of the Finance Manager of the Association to:

- a) ensure that all money due to the Association is collected and received and that all payments authorised by the Association are made,
- b) ensure that correct books and 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, and
- c) report to the Board at general meetings and the Association at Annual General Meetings as to the financial affairs of the Association.

18. Casual vacancies

- 18.1 In the event of a casual vacancy occurring in the membership of the Board of Directors, the Board will advertise the vacancy and may appoint a member of the Association to fill the vacancy and the member so appointed is to hold office, subject to this Constitution, until the conclusion of the Annual General Meeting next following the date of the appointment.
- 18.2 A casual vacancy in the office of a member of the Board occurs if the member:
- a) dies, or
 - b) ceases to be a member of the Association, or
 - c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
 - d) resigns office by notice in writing given to the Secretary, or
 - e) is removed from office under clause 19, or
 - f) becomes a mentally incapacitated person, or
 - g) is absent without the consent of the Board of Directors from three consecutive meetings of the Board of Directors, or
 - h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or

- i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

19. Removal of Board members

- 19.1 The Association in general meeting may by resolution remove any member of the Board before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member.
- 19.2 If a member of the Board to whom a proposed resolution referred to in clause 19.1 relates makes representations in writing to the Secretary or Chairperson (not exceeding a reasonable length) and requests that the representations be notified to the members of the Association, the Secretary or the Chairperson may send a copy of the representations to each member of the Association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20. Board meetings and quorum

- 20.1 The Board must meet at least two times in each term at such place and time as the Board of Directors may determine.
- 20.2 Additional meetings of the Board may be convened by the Chairperson or by any member of the Board with at least 48 hours notice stating the general nature of the business to be transacted.
- 20.3 Oral or written notice of a meeting of the Board must be given by the Secretary to each member of the Board at least 48 hours (or such other period as may be unanimously agreed on by the members of the Board) before the time appointed for the holding of the meeting.
- 20.4 Notice of a meeting given under clause 20.3 must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the Board members present at the meeting unanimously agree to treat as urgent business.
- 20.5 Any 5 members of the Board constitute a quorum for the transaction of the business of a meeting of the Board.
- 20.6 No business is to be transacted by the Board unless a quorum is present and if, within 15 minutes of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- 20.7 If at the adjourned meeting a quorum is not present within fifteen minutes of the time appointed for the meeting, the meeting is to be dissolved.
- 20.8 At a meeting of the Board the Chairperson or, in the Chairperson's absence, such one of the remaining members of the Board as may be chosen by the members present at the meeting is to preside.
- 20.9 Any school council member may attend any Board meeting but may only address the meeting by invitation or in a written submission through the Chairperson and is not entitled to vote.
- 20.10 The agenda and minutes shall be available upon request to School Council members.

21. Delegation by the Board to sub-committee

- 21.1 The Board of Directors may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the School Council as the Board thinks fit) the exercise of such of the functions of the Board as are specified in the instrument, other than:
- a) this power of delegation, and
 - b) a function which is a duty imposed on the Board by the Act or by any other law.
- 21.2 A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- 21.3 A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- 21.4 Despite any delegation under this clause, the Board may continue to exercise any function delegated.
- 21.5 Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Board.
- 21.6 The Board may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- 21.7 A sub-committee may meet and adjourn as it thinks proper.

22. Voting and decisions

- 22.1 Questions arising at a meeting of the Board or of any sub-committee appointed by the Board are to be determined by a consensus of the votes of members of the Board or sub-committee present at the meeting.
- 22.2 Each Board member present at a meeting of the Board or of any sub-committee appointed by the Board (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 22.3 The Board and School Council operate on a policy of consensus decision making. Where a decision is unable to be reached by this procedure and a resolution is deemed by two thirds of those present as a matter of urgency, then a vote may be taken where a minimum of 75% shall be considered a majority to decide the issue.
- 22.4 Subject to clause 20.5, the Board may act despite any vacancy on the Board.
- 22.5 Any act or thing done or suffered, or purporting to have been done or suffered, by the Board or by a sub-committee appointed by the Board, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Board or sub-committee.

Part 4 - General meetings

23. Annual general meetings - holding of

The School Council must hold its annual general meeting:

- a) within 6 months after the close of the Association's financial year; or
- b) within such later time as may be allowed by the Director-General or prescribed by the Regulation.

24. Annual general meetings- calling of and business

- 24.1 The annual general meeting of the Association is, subject to the Act and to clause 23, to be convened on such date and at such place and time as the Board of Directors thinks fit.
- 24.2 In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - b) to receive from the Board of Directors reports on the activities of the Association during the last preceding financial year,
 - c) to receive and consider any financial statement or report required to be submitted to members under the Act, and
 - d) to elect office bearers of the Board and ordinary Board members.
- 24.3 The annual general meeting must be specified as such in the notice convening it.

25. Special general meetings- calling of

- 25.1 The Board may, whenever it thinks fit, convene a special general meeting of the School Council.
- 25.2 The Board must, on the requisition in writing of at least 8 members, convene a special general meeting of the School Council.
- 25.3 A requisition of members for a special general meeting:
 - a) must state the purpose or purposes of the meeting, and
 - b) must be signed by the members making the requisition, and
 - c) must be lodged with the Secretary, and
 - d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- 25.4 If the Board fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 1 month after that date.
- 25.5 A special general meeting convened by a member or members as referred to in clause 25.4 must be convened as nearly as is practicable in the same manner as general meetings are convened by the Board.

26. Notice

- 26.1 Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the School Council, the Secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- 26.2 If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the School Council, the Secretary must, at least 14 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause 26.1, the intention to propose the resolution as a special resolution.
- 26.3 No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 24.2.
- 26.4 A member desiring to bring any business before a general meeting may give notice in writing of that business to the Secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

27. Quorum for general meetings

- 27.1 No item of business is to be transacted at a general meeting unless a quorum of members entitled under this Constitution to vote is present during the time the meeting is considering that item.
- 27.2 Fifteen members present (being members entitled under this Constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- 27.3 If within 15 minutes after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved, and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

28. Presiding member

- 28.1 The Chairperson is to preside as Chairperson at each general meeting of the Association.
- 28.2 If the Chairperson is absent or unwilling to act, the members present must elect one of their number to preside as Chairperson at the meeting.

29. Adjournment

- 29.1 The Chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

- 29.2 If a general meeting is adjourned for 14 days or more, the Secretary must give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 29.3 Except as provided in clauses 29.1 and 29.2, notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

30. Making of decisions

- 30.1 A question arising at a general meeting of the Association is to be determined by consensus.
- 30.2 If a consensus cannot be reached within a reasonable time, a poll may be demanded by the Chairperson or by any of the members present.
- 30.3 If a poll takes place in accordance with clause 30.2, the question arising is to be determined by either:
- (a) a show of hands, or
 - (b) if on the motion of the Chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot-a written ballot.
- 30.4 If the question is to be determined by a show of hands, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 30.5 If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the Chairperson.

31. Special resolutions

A special resolution may only be passed by the Association in accordance with section 39 of the Act.

32. Voting

- 32.1 On any question arising at a general meeting of the Association a member has one vote only.
- 32.2 In the case of an equality of votes on a question at a general meeting, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 32.3 A member is not entitled to vote at any general meeting of the Association unless all student tuition fees and levies payable are paid, or a satisfactory payment arrangement has been entered into and is being complied with.
- 32.4 A member is not entitled to vote at any general meeting of the Association if the member is under 18 years of age.

33. Proxy votes not permitted

Proxy voting must not be undertaken at or in respect of a general meeting and are not permitted

34. Postal Ballots

Postal ballots must not be undertaken at or in respect of a general meeting and are not permitted.

Part 5 – Miscellaneous

35. Insurance

The Association may effect and maintain all appropriate and required insurance.

36. Funds - source

- 36.1 The funds of the Association are to be derived from student tuition fees and levies, government grants, donations and, subject to any resolution passed by the Association in general meeting, such other sources as the Board determines.
- 36.2 All money received by the Association must be deposited as soon as practicable and without deduction to the credit of the Association's bank or other authorised deposit-taking institution account.
- 36.3 The Association must, as soon as practicable after receiving any money, issue an appropriate receipt.

37. Funds - management

- 37.1 Subject to any resolution passed by the Association in general meeting, the funds of the Association are to be used in pursuance of the objects of the Association in such manner as the Board determines.
- 37.2 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the Board or employees of the Association, being members or employees authorised to do so by the Board.
- 37.3 The common seal shall not be affixed to any instrument except by the authority of the Board and the affixing of the common seal shall be attested to by the signatures of any 2 members of the Board.

38. Change of name, objects and Constitution

- 38.1 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 Board member.
- 38.2 An application to change the name, objects and Constitution must be approved at a School Council meeting following 21 days written notice to all members and not less than a 75% majority vote.

39. Custody of books etc

Except as otherwise provided by this Constitution, the Finance Manager of the School must keep in his or her custody or under his or her control all records, books, the common seal and other documents relating to the Association.

40. Inspection of books etc

40.1 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 Board of Directors meetings and general meetings of the Association.

40.2 A member of the Association may obtain a copy of any of the documents referred to in clause 40.1 on payment of a fee of not more than \$1 for each page copied.

41. Service of notices

41.1 For the purpose of this Constitution, a notice may be served on or given to a person:

- (a) by delivering it to the person personally, or
- (b) by sending it by pre-paid post to the address of the person, or
- (c) by sending it by facsimile transmission, email, SMS or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

41.2 For the purpose of this Constitution, a notice is taken, unless the contrary is proved, to have been given or served:

- (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
- (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
- (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

42. Financial year

The financial year of the Association is each period of 12 months after the expiration of the previous financial year of the Association, commencing on 1 January and ending on the following 31 December.

43. Winding up

43.1 The Association may be wound up voluntarily if the School Council so resolves by special resolution.

43.2 In a winding up of the Association the surplus property of the Association is to be distributed in accordance with a special resolution of the Association.

43.3 Any such distribution of surplus property:

- (a) must be approved by the Director-General, and

- (b) is not to be made to or for the benefit of:
 - (i) any member or former member of the Association, or
 - (ii) any person to be held on trust for any member or former member of the Association,unless the member or former member is an Association (whether incorporated or unincorporated) whose Constitution, at the time of the distribution, prohibits the distribution of property to its members, and
- (c) is subject to any trust affecting that property or any part of it.

43.4 Surplus property or any part of it that consists of property supplied by a government department or public authority, including any unexpended portion of a grant, must be returned to the department or authority that supplied it or to a body nominated by the department or authority.

APPLICATION FOR MEMBERSHIP OF ASSOCIATION

BYRON COMMUNITY PRIMARY SCHOOL INCORPORATED

(incorporated under the [Associations Incorporation Act 2009](#))

I, _____ (full name)

of _____ (address)

_____ (occupation)

hereby apply to become a member of the Byron Community Primary School Inc. In the event of my admission as a member, I agree to be bound by the Constitution of the Association for the time being in force.

Signature of applicant

Date _____

I, _____ (full name)

a member of the Association, nominate the applicant for membership of the Association.

Signature of proposer

Date _____

I, _____ (full name)

a member of the Association, second the nomination of the applicant for membership of the Association.

Signature of seconder

Date _____