

# **The Goan Overseas Association of Victoria Inc.**



## **RULES**

## DOCUMENT CONTROL

| Year | Key Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1984 | First Printed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 1993 | Second Printing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 2009 | A motion was passed at the 30 <sup>th</sup> Annual General Meeting, held on 23 <sup>rd</sup> August 2008 to form a sub-committee to review, clarify and revise the Rules Book in its entirety. The revised Rules Book was proposed, adopted and passed at the 31 <sup>st</sup> Annual General Meeting, held on 30 <sup>th</sup> August 2009.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2010 | A motion was passed at the 32 <sup>nd</sup> Annual General Meeting, held on 21 <sup>st</sup> August 2010 to adopt the revised Rules Book. Consumer Affairs Victoria approved the Application for Alteration of Rules with effect from 24 <sup>th</sup> September 2010.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 2023 | <p>A motion was passed at the Special General Meeting, held on 4<sup>th</sup> June 2023 to</p> <ol style="list-style-type: none"> <li>1. Recognize members whose spouse or defacto is registered with the G.O.A.V. as an equal Member but with a single voting eligibility.</li> <li>2. Consider members or their children from 18 to 35 years as part of the youth group.</li> <li>3. Encourage youth, 18 years and above to join the G.O.A.V. Managing Committee and form a youth team of at least three, that is, Youth President, Youth General Secretary and Youth Treasurer, in the committee.</li> <li>4. Raise independent members age from 18 to 25 years.</li> </ol> <p>The revised Rules were proposed, adopted, and passed at the Special General meeting, held on 4<sup>th</sup> June 2023.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2026 | <p>A motion was passed at the 48<sup>th</sup> Annual General Meeting, held on 8<sup>th</sup> August 2026 to adopt the following:</p> <ol style="list-style-type: none"> <li>1. A person must be an active member, as in participating in regular events, of the Association for one (1) year prior to being nominated for a position within the Managing Committee subject to no new nominations received. [Amended - Section 19.7]</li> <li>2. A person must have served as an Ordinary member of the Managing Committee for a minimum period of one (1) year before becoming eligible to contest for the position of President or Vice-President within the Managing Committee. subject to no new nominations received. [Added – Section 19.8]</li> <li>3. The tenure of the Managing Committee is to be extended from one (1) year to two (2) years, effective from the next election cycle, effective from 2027 (49<sup>th</sup> AGM). [Amended – 18.1]</li> <li>4. If a returning Officer or the auditor resigns or becomes incapacitated or is unable to perform their duties prior to the next AGM, the managing committee shall call a special general meeting to appoint these roles. [Added – Section 18.6]</li> <li>5. Altered the logo to have a circle around it and changed the font from Times New Roman to Arial.</li> </ol> |

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# **STATEMENT OF PURPOSES**

**of the**

## **GOAN OVERSEAS ASSOCIATION OF VICTORIA INCORPORATED**

1. To cater for the welfare of the Members by:
  - (a) organising functions, projects or services of a social, cultural, educational, welfare or recreational nature for the benefit of Members and their families;
  - (b) establishing and administering awards, grants, scholarships, and projects designed to encourage and recognise the achievements of the Members, their families or of Goans generally.
2. To welcome newly arrived Goan migrants and to help them settle into the Australian community.
3. To put forward the Goan point of view and to cooperate with other ethnic groups, the community at large and the government.
4. To promote an appreciation of the Goan culture.
5. To encourage the use of the Konkani language.
6. To provide an information service through:
  - the spread of literature from India, Goa and elsewhere;
  - exchange of news with other Goan Associations in Australia and overseas;
  - frequent newsletters to Members.
7. To establish such facilities and to do all such other lawful activities as are incidental or conducive to the attainment of the purposes of the Association.

# **RULES**

of the

## **GOAN OVERSEAS ASSOCIATION OF VICTORIA INCORPORATED**

### **1. NAME**

The name of the incorporated Association is Goan Overseas Association of Victoria Incorporated (in these Rules called "the Association").

### **2. INTERPRETATION**

2.1 In these Rules, unless the contrary intention appears -

"Committee" means the Committee of Management of the Association.

"Financial year" means the year ending on 30 June.

"General Meeting" means a general meeting of Members convened in accordance with Rules 8 and 9.

"Member" means Member of the Association.

"Ordinary Member of the Committee" means a Member of the Committee who is not an Officer of the Association.

"The Act" means the Associations Incorporation Act 1981

"The Regulations" means Regulations under the Act.

2.2 In these Rules, a reference to the Secretary of the Association is a reference:

(a) where a person holds office under these Rules as Secretary of the Association - to that person; and

(b) in any other case, to the Public Officer of the Association.

2.3 Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

2.4 Unless the context provides otherwise, the singular includes the plural, and the plural includes the singular.

2.5 A reference to a gender includes a reference to each other gender.

### 3. APPLICATION FOR MEMBERSHIP

3.1.a A natural person, resident of Victoria who is nominated and approved for membership as provided in these Rules is eligible to be a Member of the Association on payment of the entrance fee and annual subscription payable under these Rules.

3.1.b There shall be four classes of Members:

- Life Members
- Ordinary Members
- Associate Members
- Honorary Members

3.1.c Ordinary Members have three sub-classes:

- Ordinary Individual
- Ordinary Pensioner
- Ordinary Student

3.1.d Associate Members shall not exceed fifteen percent in number of the membership of the Association.

3.2.a **Life Membership:** Life membership shall not be conferred at first instance as a matter of right. The Committee may, upon payment of the prescribed fee, confer Life Membership on an Ordinary Member with a continuous membership of not less than 5 years; to be confirmed at the next Annual General Meeting.

3.2.b **Ordinary Membership:** Ordinary Individual members are persons of good conduct and of Goan origin or persons of good conduct, married to a person of Goan origin.

Independent members are Ordinary Individual Members aged 25 years and above. However, any individual whose age is 18 years and above should complete the GOAV Membership form but start paying Membership Fees when they turn 25 to be considered as an Ordinary Individual Member.

Ordinary Pensioner members are persons of good conduct and of Goan origin or persons of good conduct, married to a person of Goan origin and who have attained the age of 65.

Ordinary Student members are persons of good conduct and of Goan origin and who are between the ages 18-25 and are enrolled as fulltime students.

Members, or their children from 18 to 35 years are considered as part of the youth group allowing the young adults to mentor and impart any wisdom they have acquired to the younger members of the group.

3.2.c **Associate Membership:** Associate members are persons of good conduct, not of Goan origin and who have demonstrated a keen interest in Goan culture and/or heritage.

3.2.d **Honorary Membership:** Honorary members are persons who have rendered meritorious service to the Association and who have been granted such membership by the General Body at the Annual General Meeting, upon recommendation of the Managing Committee.

Such members shall be exempt from payment of entrance fee and annual subscription payable under the Rules.

- 3.3 A nomination of a person for membership of the Association:
- (a) shall be made in writing in the form set out in *Appendix 1*; and
  - (b) shall be lodged with the Secretary of the Association;
  - (c) shall be accompanied by the prescribed entrance fee and the first year's annual subscription.
- 3.4 As soon as is practicable after the receipt of a nomination, the Secretary shall refer the nomination to the Committee.
- 3.5 Upon a nomination being referred to the Committee, the Committee shall, at its discretion, determine whether to approve or to reject the nomination.
- The Committee's decision in this regard shall be final and shall not be challenged save and except at the next Annual General Meeting immediately following the Committee's decision.
- 3.6 Upon a nomination being approved by the Committee, the Secretary shall, with minimal delay, notify the nominee in writing that he/she is approved for membership of the Association.
- 3.7 The Secretary shall, enter the nominee's name in the register of Members kept by him and, upon the name being so entered; the nominee becomes a Member of the Association.
- 3.8 A right, privilege, or obligation of a person by reason of his/her membership of the Association:
- (a) is not capable of being transferred or transmitted to another person; and
  - (b) terminates upon the cessation of his/her Membership upon death.; except in the case of a Life member where the membership shall be transferred to the spouse, subject to his/her acceptance;
  - (c) terminates upon resignation or otherwise.

#### **4. ENTRANCE FEE AND ANNUAL SUBSCRIPTION**

- 4.1 The entrance fee is such as the Association may in a General meeting decide from time to time.
- 4.2 The Association, at a General Meeting, shall set an annual subscription which will take effect on 1st July of the following year.
- 4.3 The annual subscription determined under clause 4.2 shall be due on 1<sup>st</sup> July and shall be payable not later than 30<sup>th</sup> September. Persons who do not pay during this period shall have no penalties applied against them, except that they are non-financial and not eligible to vote. The Committee may also impose such sanctions as it deems fit for non-payment by 30<sup>th</sup> September.
- 4.4 Half the annual subscription fee shall be payable for application for new membership after 31<sup>st</sup> December. However, full application fee is payable. Reduction in annual subscription shall not apply to members that are non-financial for less than two years.
- 4.5 A member, other than a Life member, who advises the Committee of a move interstate or overseas, save that such a move is temporary only, for a period of less than two years, continues to be a member and shall be exempt from payment of subscription for the duration of such absence. Such member shall be liable to pay the Association's subscription for the period beyond two years.
- 4.6 Annual subscription renewal due notice shall be sent by the Association to members prior to 1<sup>st</sup> July. If dues are not rendered to the Association by the period described under clause 4.3, a reminder letter shall be sent to the member indicating the renewal outstanding due for the year. If dues are still not rendered to the Association, a second reminder letter shall be sent to the member the following year indicating the outstanding dues for the two years.
- 4.7 A member who is non-financial for a period of more than two years, as on June 30<sup>th</sup> of each year, ceases to be a member of the Association. The non-financial member is automatically removed from the register and ceases to be a member of the Association as of 1<sup>st</sup> July of that year. The secretary shall, with minimal delay, notify the person in writing.
- 4.8 Persons wishing to re-apply for membership after two or more years will be subject to clause 4.3 and there will be no payment of back dues applicable.

#### **5. REGISTER OF MEMBERS**

- 5.1 The Secretary shall keep and maintain a register of Members in which shall be entered the full name, address, and date of entry of the name of each Member and the register shall be available for inspection by Members at the address of the Secretary.

## **6. RESIGNATION OF MEMBER**

- 6.1 A Member of the Association who has paid all monies due and payable by him to the Association may resign from the Association by first giving one month's notice in writing to the Secretary of his/her intention to resign and upon the expiration of that period of notice, the Member shall cease to be a Member.
- 6.2 Upon the expiration of a notice given under clause 6.1, the Secretary shall make in the register of Members an entry recording the date on which the Member by whom the notice was given, ceased to be a Member.

## **7. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBER**

- 7.1 Subject to these Rules, if the Committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the committee may by resolution:
  - (a) fine that Member an amount not exceeding \$500.00; or
  - (b) suspend a Member from membership of the Association for a specified period; or
  - (c) expel a Member from the Association;
- 7.2 A resolution of the Committee under clause 7.1 does not take effect unless--:
  - (a) at a meeting held in accordance with clause (7.3), the committee confirms the resolution; and
  - (b) if the member exercises a right of appeal to the Association under this clause, the Association confirms the resolution in accordance with this clause.
- 7.3 A meeting of the Committee to confirm or revoke a resolution passed under clause 7.1, must be held not earlier than 14 days, and not later than 28 days, after notice has been given to the member in accordance with clause (4).
- 7.4 For the purposes of giving notice in accordance with sub-rule (3), the Secretary must, as soon as practicable, cause to be given to the member a written notice-
  - (a) setting out the resolution of the Committee and the grounds on which it is based; and
  - (b) stating that the Member, or his/her representative, may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice has been given to that member; and
  - (c) stating the date, place, and time of that meeting; and

- (d) informing the Member that he/she may do one or both of the following:
  - (i) attend that meeting;
  - (ii) give to the Committee before the date of that meeting a written statement seeking the revocation of the resolution; and
- (e) informing the member that, if at that meeting, the Committee confirms the resolution, he/she may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he/she wishes to appeal to the Association in general meeting against the resolution.

- 7.5 At a meeting of the Committee to confirm or revoke a resolution passed under clause 7.1, the Committee must-
  - (a) give the member, or his/her representative, an opportunity to be heard; and
  - (b) give due consideration to any written statement submitted by the Member; and
  - (c) determine by resolution whether to confirm or to revoke the resolution.
- 7.6 If at the meeting of the Committee, the Committee confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he/she wishes to appeal to the Association in general meeting against the resolution
- 7.7 If the Secretary receives a notice under clause 7.6, he/she must notify the Committee and the Committee must convene a general meeting of the Association to be held within 21 days after the date on which the Secretary received the notice.
- 7.8 At a General meeting of the Association convened under clause 7--:
  - (a) no business other than the question of the appeal shall be conducted; and
  - (b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution; and
  - (c) the Member, or his/her representative, must be given an opportunity to be heard; and
  - (d) the Members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- 7.9 A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.

## **8. DISPUTES AND RESOLUTION**

- 8.1 The grievance procedure set out in this rule applies to disputes under these Rules between-
- (a) a member and another member; or
  - (b) a member and the Association.
- 8.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 8.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must within 10 days, hold a meeting in the presence of a mediator.
- 8.4 The mediator must be-
- (a) a person chosen by agreement between the parties; or
  - (b) in the absence of agreement-
    - (i) in the case of a dispute between a member and another member, a person appointed by Committee of the Association; or
    - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- 8.5 A member of the Association can be a mediator.
- 8.6 The mediator cannot be a member who is a party to the dispute.
- 8.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 8.8 The mediator, in conducting the mediation must—
- (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 8.9 The mediator must not determine the dispute.
- 8.10 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

## **9. ANNUAL GENERAL MEETING**

- 9.1 The Association shall in each calendar year convene an Annual General Meeting of its Members.
- 9.2 The Annual General Meeting shall be held on such day as the Committee determines and shall be held within 90 days from the end of the financial year.
- 9.3 The Annual General Meeting shall be specified as such in the notice convening it.
- 9.4 The ordinary business of the Annual General Meeting shall be:
  - (a) to confirm the minutes of the last preceding Annual General Meeting and/or any general meeting held since that meeting;
  - (b) to receive from the Committee reports upon the transactions of the Association during the last preceding financial year;
  - (a) to elect Officers of the Association and the ordinary Members of the Committee; and
  - (b) to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act;
  - (c) to ratify the amount of expenditure permitted for the forthcoming Committee, under Rules 17.3 (e) and (f).
- 9.5 The Annual General Meeting may transact special business of which notice is given in accordance with these Rules.
- 9.6 The Annual General Meeting shall be in addition to any other general meetings that may be held in the same year.

## **10. SPECIAL GENERAL MEETING**

10.1 All general meetings other than the Annual General Meeting shall be called Special General Meetings.

10.1.a **SPECIAL GENERAL MEETINGS REQUISITIONED BY THE COMMITTEE.**

The Committee may, whenever it thinks fit, convene a Special General Meeting of the Association and, where, but for this sub-clause, more than fifteen months would lapse between Annual General Meetings, shall convene a Special General Meeting before the expiration of that period.

10.1.b **SPECIAL GENERAL MEETINGS REQUISITIONED BY MEMBERS.**

The Committee shall, on the requisition in writing of Members representing not less than 25 per cent of the total number of Members, convene a Special General Meeting of the Association.

## **11. RULES FOR SPECIAL GENERAL MEETINGS.**

11.1 The requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the Members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the Members making the requisition.

11.2 If the Committee does not cause a Special General Meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the Members making the requisition, or any of them, may convene a Special General Meeting to be held not later than three months after that date.

11.3 A Special General Meeting convened by Members in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring the expenses.

## **12. NOTICE OF GENERAL MEETING – ANNUAL AND SPECIAL**

- 12.1 The Secretary of the Association shall, at least 14 days before the date fixed for holding a general meeting of the Association, cause to be sent to each Member of the Association at his/her address appearing in the register of Members, a notice by post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 12.2 No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- 12.3 A Member desiring to bring any general business before a meeting shall, before 15th June of each year, give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

## **13. VOTING RIGHTS AND PROXY**

- 13.1 All members excepting honorary members shall have one vote. Honorary members shall have no vote.
- 13.2 A Member is not entitled to vote at any general meeting or hold office unless all moneys due and payable by him to the Association have been paid.
- 13.3 All votes shall be given personally or by proxy. The notice appointing the proxy shall be in the form set out in *Appendix 3*.
- 13.4 Each Member shall be entitled to appoint another Member as his/her proxy by notice given to the Returning Officer no later than 24 hours before the time of the meeting in respect of which the proxy is appointed. Such member is appointed as proxy shall not be entitled to exercise the proxy vote unless all moneys due and payable by him to the Association have been paid.
- 13.5 In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a casting vote.

## **14. PROCEEDINGS AT GENERAL MEETINGS**

- 14.1 All business that is transacted at a Special General Meeting and all business that is transacted at the Annual General Meeting with the exception of that specially referred to in these Rules as being the ordinary business of the Annual General Meeting shall be deemed to be special business.
- 14.2 No item of business shall be transacted at a general meeting unless a quorum of Members entitled under these Rules to vote is present during the time when the meeting is considering that item.
- 14.3 The President, or in his/her absence the Vice-President, shall preside as Chairman at each general meeting of the Association.
- 14.4 If the President and the Vice-President are absent from a general meeting, the Members present shall elect one of their number to preside as Chairman at the meeting.
- 14.5 The Chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 14.6 Where a meeting is adjourned for fourteen days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.
- 14.7 Except as provided under clause 14.6, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

## **15. QUORUM AT GENERAL MEETINGS**

- 15.1 Ten per cent of the total number of Members of the Association (being Members entitled under these Rules to vote at a general meeting) constitutes a quorum for the transaction of the business of a general meeting.
- 15.2 If within thirty minutes after the appointed time for the commencement of a general meeting, a quorum is not present,
- (a) the meeting if convened upon the requisition of Members shall be dissolved. and;
  - (b) in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place; and
  - (c) if at the adjourned meeting the Quorum is not present within thirty minutes after the time appointed for the commencement of the meeting, the Members present (being not less than 5, who are not members of the current Managing Committee) shall be a quorum.

## **16. VOTING AT GENERAL MEETINGS**

- 16.1 A question arising at a general meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the show of hands a poll is demanded, a declaration by the Chairman that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and 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.
- 16.2 If at a meeting a poll on any question is demanded by not less than 25% of Members, it shall be taken at that meeting in such manner as the Chairman may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 16.3 A poll that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.
- 16.4 Members whose spouse or defacto is registered with the G.O.A.V. are recognized as an equal Member but with a single voting eligibility which allows either the member or spouse / defacto, but not both at the same time, to join the Managing Committee, vote in an election and raise issues at the AGM.

## **17. COMMITTEE OF MANAGEMENT**

17.1 The affairs of the Association shall be managed by a Committee of Management constituted under clause 17.3.

17.2 The Committee shall consist of:

(i) Officers as elected at the Annual General Meeting:

- (a) a President;
- (b) a Vice-President;
- (c) a Treasurer; and
- (d) a Secretary

and can hold only one of the above positions during the term of office

(ii) at least two Ordinary Members of the Committee as elected at the Annual General Meeting; and

(iii) any additional Ordinary Member/s of the Committee can be co-opted by the Committee from time to time at a Committee meeting.

17.3 The Committee:

(a) shall control and manage the business and affairs of the Association;

(b) shall have power to fill any vacancy in the office of Auditor

(c) 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 of the Members of the Association; and

(d) may, 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

(e) shall be permitted to use as expenditure up to ten percent of the Current Assets (cash held in Deposits, Cheque Account and in Hand), as shown on the balance sheet of the previous year. This is in addition to the subscriptions collected and any and all of the income generated in their year of office.

(f) shall seek General Body approval for additional funds needed as expenditure above the ten percent allowed under clause 17.3 (e)

(g) member shall avoid conflict of interest and notify the Committee of such conflict and shall not participate in any decision of the Committee where such conflict arises.

(h) members of the Committee of Management and Sub-Committees as appointed from time to time shall be accountable to the Managing Committee and abide by the Code of Conduct as set out in *Appendix 4*.

17.4 The provisions of Rule 19 so far as they are applicable and with the necessary modifications apply to and in relation to the election of persons to any of the offices mentioned under clause 17.3.

17.5 Youth, 18 years and above should be encouraged to join the G.O.A.V. Managing Committee if they wished. There could also be a youth team of at least:

(a) a Youth President

(b) a Youth General Secretary

(c) a Youth Treasurer

in the Committee, who would shadow the President, General Secretary and Treasurer and be mentored for future roles within the Managing Committee.

## **18. TERM OF OFFICE**

18.1 The tenure of the Managing Committee is two (2) consecutive years until the next elections are held at the Annual General Meeting.

18.2 Where an Officer or an Ordinary Member of the Committee undertakes to hold the position for a further period following the next Annual General Meeting after the date of his/her election, they will be deemed to hold office until the subsequent Annual General Meeting. *Appendix 2.*

18.3 Where an ordinary Member of the Committee has been co-opted, the member shall subject to these Rules hold office until the Annual General Meeting next after the date of his/her election but is eligible for nomination.

18.4 In the event of a casual vacancy in any office referred to under clause 18.1, 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/her appointment.

18.5 In the event of a casual vacancy occurring in the office of an ordinary Member of the Committee, the Committee may appoint a Member of the Association to fill the vacancy and the Member so appointed shall hold office, subject to these Rules, until the conclusion of the Annual General Meeting next following the date of his/her appointment.

18.6 If a Returning Officer or the Auditor resigns or becomes incapacitated or is unable to perform their duties prior to the next AGM, the Managing Committee shall call a Special General Meeting to appoint these roles.

## **19. ELECTION OF COMMITTEE**

- 19.1 Nominations for vacant positions of any Officer of the Association or ordinary Member of the Committee:
- (a) shall 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 nomination); and
  - (c) shall be received by the Returning Officer of the Association, at the address specified by the Returning Officer, not less than seven days before the date fixed for holding of the Annual General Meeting.
- 19.2 If no nominations are received by the Returning Officer for any vacant position on the Committee, then nominations shall be opened to members present at the annual general meeting.
- 19.3 If a single nomination is received for each vacant position, the candidate nominated shall be deemed to be elected.
- 19.4 If two or more nominations are received for a vacant position, a secret ballot shall be held for each position.
- 19.5 A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office for election at the same election.
- 19.6 The candidate nominated for election, his/her proposer and seconder shall all be financial members of the Association.
- 19.7 A person must have served as an Ordinary member of the Managing Committee for a minimum period of one (1) year before becoming eligible to contest for the position of President or Vice-President within the Managing Committee. subject to no new nominations received.
- 19.8 A person must be an active member, as in participating in regular events, of the Association for one (1) year prior to being nominated for a position within the Managing Committee subject to no new nominations received.

## **20. COMMITTEE VACANCIES**

- 20.1. For the purposes of these Rules, the position of an Officer of the Association or of an ordinary Member of the Committee becomes vacant if the Officer or Member of the Committee;
- (a) ceases to be a Member of the Association;
  - (b) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
  - (c) resigns his/her office by notice in writing given to the Secretary.
- 20.2 In the event of clause 19.1, the vacant position shall be filled as per provisions of Rules 18.4, 18.5 and 18.6.

## **21. REMOVAL OF A COMMITTEE MEMBER**

- 21.1 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 instead to hold office until the expiration of the term of the first-mentioned Member.
- 21.2 Where the Member to whom a proposed resolution referred to under clause 21.1 makes representation in writing (not exceeding a reasonable length) to the Secretary or President of the Association and requests that this representation be notified to the Members of the Association, the Secretary or the President may send a copy of the representations to each Member of the Association. If this representation is not sent, the Member may request that this be read out at the general meeting.

## **22. NOTICE OF COMMITTEE MEETING**

- 22.1 Notice of each Committee meeting shall be given to Member of the Committee at least two business days before the date of the meeting.
- 22.2 Notice shall be given to Members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.

## **23. PROCEEDINGS OF COMMITTEE**

- 23.1 The Committee shall meet at least three times in each term at such place and time as the Committee may determine.
- 23.2 Special meetings of the Committee may be convened by the President or by any five of the Members of the Committee.
- 23.3 At meetings of the Committee:
  - (a) the President or in his/her absence the Vice-President shall preside; or
  - (b) if the President and the Vice-President are absent, such one of the remaining Members of the Committee as may be chosen by the Members present shall preside.

## **24. QUORUM AT COMMITTEE MEETINGS**

- 24.1 Any five Members of the Committee, including one or more officers of the Committee, constitute a quorum for the transaction of the business of a meeting of the Committee.
- 24.2 No business shall be transacted unless a quorum is present;
- 24.3 If within thirty minutes of the time appointed for the meeting a quorum is not present;
  - (i) in the case of a special meeting - the meeting lapses
  - (ii) in any other case – the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week.
- 24.4 The Committee may act notwithstanding any vacancy on the Committee.

## **25. VOTING AT COMMITTEE MEETINGS**

- 25.1 Questions arising at a meeting of the Committee or of any Sub-Committee appointed by the Committee shall be determined on a show of hands or, if demanded by a Member, by a poll taken in such manner as the person presiding at the meeting may determine.
- 25.2 Each Member present at a meeting of the Committee or of any Sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question; the person presiding may exercise a second or casting vote.

## **26. DUTIES OF OFFICERS**

### **26.1 PRESIDENT – The President of the Association:**

- (a) shall be the elected Chief Executive Officer;
- (b) shall be responsible for the welfare of members (in context of the Association) and
- (c) the general management and supervision of the affairs of the Association;
- (d) shall preside at all meetings;
- (e) shall promote and act as the spokesperson of the Association;
- (f) shall provide strategic planning and direction;
- (g) shall review financial reports of the Association and ensure records are kept up to date.

### **26.2 VICE-PRESIDENT – The Vice-President of the Association:**

- (a) shall in the absence or the disability of the President, perform the duties and exercise the powers of the President;
- (b) shall assume any other duties and responsibilities as may be determined by the Managing Committee.

### **26.3 SECRETARY – The Secretary of the Association:**

- (a) shall keep and record in the book or books provided for that purpose the minutes of the proceedings, motions moved and resolutions of the general meetings and Committee meeting;
- (b) shall send out the agenda of the meeting to members for the general meetings and/or members of the Managing Committee;
- (c) shall issue notices as prescribed in these Rules;
- (d) shall keep in safe custody the files, common seal and other records and documents of the Association;
- (e) shall be the primary contact to receive and respond to any correspondence and keep the Committee informed of all the correspondence without undue delay or at the next Committee meeting;
- (f) shall assume any other duties and responsibilities as may be determined by the Managing Committee
- (g) shall also assume the role of the Public Officer.

### **26.4 TREASURER – The Treasurer of the Association:**

- (a) shall collect and receive all moneys due to the Association and make all payments authorised by the Association; and
- (b) shall keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association and make available for review by the Committee as requested;
- (c) shall prepare financial summary for the Managing Committee and annual financial statements to be submitted to auditor;
- (d) shall provide a copy of the accounts to the members for review and inspection at the Annual General Meeting.

## **27. DUTIES OF AUDITOR**

### **27.1 The Auditor of the Association:**

- (a) shall be appointed at the Annual General Meeting for the following term of office;
- (b) shall not be an Officer or Member of the Committee nor the Returning Officer and shall as such be independent;
- (c) shall at least once in every year examine the accounts of the Association and
- (d) shall report to members at the Annual General Meeting the results of his/her examination.

## **28. DUTIES OF RETURNING OFFICER**

### **28.1 The Returning Officer of the Association:**

- (a) shall be appointed at the Annual General Meeting;
- (b) shall not be an Officer or Member of the Committee nor the Auditor and shall as such be independent;
- (c) shall receive the Proxies and Nomination forms;
- (d) shall validate the quorum;
- (e) shall at the end of the ballot, validate the results and confirm the positions of the Committee.

## **29. DUTIES OF PUBLIC OFFICER**

### **29.1 The Public Officer of the Association:**

- (a) shall be the main point of contact between the Association and Consumer Affairs of Victoria;
- (b) shall oversees the affairs of the incorporated Association and ensures its statutory obligations are met;
- (c) shall ensure the Annual Report of the Association is lodged with the Registrar within one month after the Annual General Meeting.

### **30. FUNDS**

- 30.1 The funds of the Association shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Committee determines.
- 30.2 The Association shall not derive funds by making any substantial investments or enter into any high-risk ventures, unless proposed in detail, at a General meeting and adopted by a three fourth majority.
- 30.3 The Treasurer of the Association must:
- (a) collect and receive all moneys due to the Association and make all payments authorised by the Association; and
  - (b) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- 30.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two Officers of the Committee as per the Rules of the bank.
- 30.5 No cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be solely signed by an Individual Officer of the Committee.
- 30.6 The funds of the Association may be received directly into the Associations bank account by Electronic Funds Transfer (EFT). The explanation for the payment should be identified in the transaction details. The BSB and bank account number shall be made available to Members on request.

### **31. SEAL**

- 31.1 The common seal of the Association shall be kept in the custody of the Secretary.
- 31.2 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 either of two Members of the Committee or of one Member of the Committee and of the Public Officer of the Association.

### **32. COMMUNICATION TO MEMBERS**

- 32.1 Except for the requirement in Rule 12.1, any communication that is required to be given to a member, by on behalf of the Association, under these Rules may be given by-
- (a) sending it by post addressed to the member at that member's address shown in the register of members; or
  - (b) electronic transmission if the member has requested to receive in this manner; or
  - (c) delivering the communication to the member personally.

- 32.2 Where a document is properly addressed and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.
- 32.3 Members may consent to receive communication from the Association about events and activities by postal mail, email, or other electronic media. Members shall be provided the option to opt-out of receiving any such communications from the Association. Unsolicited communication shall not be sent to Members by the Association.

### **33. WINDING UP OR CANCELLATION**

- 33.1 In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association shall be distributed to charities in Goa and in Victoria in equal proportions as determined by the appointed administrator in accordance with the provision of the Act.

### **34. CUSTODY AND INSPECTION OF BOOKS AND RECORDS**

- 34.1 Except as otherwise provided in these Rules, the Secretary must keep in his/her custody or under his/her control all books, documents and securities of the Association.
- 34.2 All accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any member upon written request.

### **35. BY-LAWS**

- 35.1 The Committee shall make, repeal or amend By-laws for the conduct and management of the Association. Such By-laws shall not be inconsistent with these Rules or the Act.
- 35.2 All By-laws alterations and amendments thereto shall be entered by the Secretary in a book to be kept for the purpose and be available for inspection by Members on the Associations website.
- 35.3 The first By-laws made under these Rules shall be circularised to all Members at the general meeting to be convened for the adoption of these Rules. If approved at such general meeting the said By-Laws shall become binding with immediate effect.

## **36. ALTERATION OF THE RULES**

- 36.1 The Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.



## APPENDIX 1 - MEMBERSHIP FORM

Sample Copy

THE GOAN OVERSEAS ASSOCIATION OF VICTORIA (INC)

APPLICATION FOR MEMBERSHIP Email: [goav@goav.org.au](mailto:goav@goav.org.au)

The Secretary, GOAV

[www.GOAV.org.au](http://www.GOAV.org.au)

I desire to become a member of the GOAV and agree to abide by the Association Rules<sup>1</sup>.

### Required Information:

TITLE: \_\_\_\_\_ SURNAME: \_\_\_\_\_ NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ PHONE HOME: \_\_\_\_\_ MOBILE: \_\_\_\_\_

☐ <sup>2</sup> Include my Mobile on the **GOAV Members Connect WhatsApp** group

SPOUSE/PARTNER: \_\_\_\_\_ PHONE: \_\_\_\_\_

NEXT OF KIN: \_\_\_\_\_ PHONE: \_\_\_\_\_

E-MAIL:<sup>2</sup> \_\_\_\_\_

DEPENDENT CHILDREN (18 years and under):

| Names | Date of Birth | Male/Female |
|-------|---------------|-------------|
|       |               |             |
|       |               |             |
|       |               |             |
|       |               |             |

### Membership Class: (Tick the box that applies)

☐ **Ordinary Member:** Goan origin. Name of village in Goa (if known): \_\_\_\_\_

☐ **Associate Member:** Non-Goan origin with keen interest in Goan culture / heritage.

### Optional Information:

PROFESSION : \_\_\_\_\_

INTERESTS: ☐ Konkani Music ☐ Dance ☐ Language ☐ Sports ☐ Other \_\_\_\_\_

How did you hear about the GOAV? \_\_\_\_\_

SIGNATURE OF APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

#### **For Office Use Only:** (To be completed by the Managing Committee)

Name of Proposer: \_\_\_\_\_

Signature: \_\_\_\_\_

Name of Seconder: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Email completed form to: [goav@goav.org.au](mailto:goav@goav.org.au)

#### Initial (One-off)

Application Fee: \$5.00

#### Subscription

Annual Fee (Jul-Jun): \$30.00

Half Yearly (Jan-Jun): \$15.00

Students/Concession: \$15.00

Seniors (65+ years) \$15.00

#### Bank Payment Details

BSB: 013 437 (ANZ bank)

A/C : 328 030 692

NAME: Goan Overseas Association of Victoria

<sup>1</sup> Rules Book is available on the GOAV website (Membership page).

<sup>2</sup> Opt-in consent to receive electronic delivery of the GOAV events flyers and other communications

## APPENDIX 2 - NOMINATION FORM

**Sample Copy**

[www.GOAV.org.au](http://www.GOAV.org.au)



**THE GOAN OVERSEAS ASSOCIATION OF VICTORIA (INC)**

**Postal address:  
As specified by the  
Returning Officer**

### NOMINATION FORM

The Returning Officer,  
Goan Overseas Association of Victoria (Inc).

I hereby agree to being nominated for the position of \_\_\_\_\_  
in the Committee of Management of the Association for two (2) consecutive year period.

**Proposed by Name:** \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Seconded by Name:** \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX 3.a - APPOINTMENT OF PROXY (ELECTIONS)

[www.GOAV.org.au](http://www.GOAV.org.au)



**THE GOAN OVERSEAS ASSOCIATION OF VICTORIA (INC)**

Postal address:  
As specified by the  
Returning Officer

### APPOINTMENT OF PROXY (ELECTIONS)

I, \_\_\_\_\_  
(name)

of \_\_\_\_\_  
(address)

being a Financial Member of the Goan Overseas Association of Victoria hereby appoint:

\_\_\_\_\_  
(name of proxy)

of \_\_\_\_\_  
(address of proxy)

being a Financial Member of the Goan Overseas Association of Victoria,

OR

the Chairman of the annual/special general meeting, as my proxy to vote for me on my behalf at the Annual/Special General Meeting of the Association to be held on

\_\_\_\_\_  
(date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote in:

(Please tick the relevant box below)

- ☐ favour of
- ☐ against
- ☐ as decided by the proxy holder

Signed by Member: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX 3.b - APPOINTMENT OF PROXY (RESOLUTIONS)

www.GOAV.org.au



THE GOAN OVERSEAS ASSOCIATION OF VICTORIA (INC)

Postal address:  
As specified by the  
Returning Officer

### APPOINTMENT OF PROXY (RESOLUTIONS)

I, \_\_\_\_\_  
(name)

of \_\_\_\_\_  
(address)

being a Financial Member of the Goan Overseas Association of Victoria hereby appoint:

\_\_\_\_\_  
(name of proxy)

of \_\_\_\_\_  
(address of proxy)

being a Financial Member of the Goan Overseas Association of Victoria,

OR

the Chairman of the annual/special general meeting, as my proxy to vote for me on my behalf at the Annual/Special General Meeting of the Association to be held on

\_\_\_\_\_  
(date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote in:

(Please tick the relevant box below)

☐ favour of resolution number: \_\_\_\_\_

☐ against resolution number: \_\_\_\_\_

☐ as decided by the proxy holder

Signed by Member: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX 3.c - APPOINTMENT OF PROXY FOR MEETING OF ASSOCIATION CONVENED UNDER RULE 7(7)

www.GOAV.org.au



THE GOAN OVERSEAS ASSOCIATION OF VICTORIA (INC)

Postal address:  
As specified by the  
Returning Officer

### APPOINTMENT OF PROXY FOR MEETING OF ASSOCIATION CONVENED UNDER RULE 7(7)

I, \_\_\_\_\_  
(name)

of \_\_\_\_\_  
(address)

being a Financial Member of the Goan Overseas Association of Victoria Inc. hereby appoint:

\_\_\_\_\_  
(name of proxy)

of \_\_\_\_\_  
(address of proxy)

being a Financial Member of the Goan Overseas Association of Victoria Inc.

OR

the Chairman of the annual/special general meeting, as my proxy to vote for me on my behalf at the Annual/Special General Meeting of the Association convened under rule 7(7), to be held on

\_\_\_\_\_  
(date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote on my behalf at their discretion in :

(Please tick the relevant box below)

☐ favour of resolution number: \_\_\_\_\_

☐ against resolution number: \_\_\_\_\_

☐ as decided by the proxy holder

Signed by Member: \_\_\_\_\_

Date: \_\_\_\_\_



## THE GOAN OVERSEAS ASSOCIATION OF VICTORIA (INC)

## CODE OF CONDUCT

The purpose of this Code of Conduct is to govern the decisions and actions of Committee Members. These include Management and Sub-Committee Members ensuring that Committee Members act in the best interests of the Association. The Code of Conduct applies to all Committee Members from the moment that they are elected to office.

**Committee Members will at all times:**

- a. Ensure that the Association conducts its affairs so as to promote the Association's aims and objectives in accordance with its Rules.
- b. Ensure that they understand their roles and responsibilities as members of the Committee, as defined in the Rules.
- c. Fulfil their responsibilities as Committee Members by attending as many Committee meetings as possible and tendering their apologies in advance if unable to attend any meeting.
- d. Prepare themselves properly for Committee meetings by pre-reading the minutes of the previous meeting, the agenda for the forthcoming meeting and any supporting documentation.
- e. Act in good faith and in the best interests of the Association.
- f. Refrain from using indecent or offensive language or converse aloud or create disturbance during the conduct of a meeting.
- g. Observe confidentiality on matters discussed by the Committee.
- h. Act honestly in the exercise of their powers and in the discharge of their duties.
- i. Not make an intemperate statement reflecting adversely on the character of a Committee Member.
- j. Not make improper use of information gained through their position or use their position as Committee Members to gain, directly or indirectly, an advantage for themselves or any other person, or cause detriment to the Association.
- k. Where they have personal interests which might give rise to conflicts of interests with their duties as Committee Members, disclose the nature of those interests at the Committee meeting and refrain from discussing or voting on the issue.
- l. Ensure the keeping of such accounting records as correctly explain the Association's transactions and financial position.

A contravention of the Code of Conduct by a Committee member may result in a warning, suspension or disqualification from office by the chair.

I have read and understood the above Code of Conduct.

Committee Type: ☐ Management  
☐ Sub-Committee

Name: \_\_\_\_\_

Position: \_\_\_\_\_ Term in Office: \_\_\_\_\_ to \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**THE GOAN OVERSEAS ASSOCIATION OF VICTORIA (INC)**

**ABN 45 379 439 322**