

In the name of Allah, the beneficent, the Merciful.
The Constitution of
THE ISLAMIC EGYPTIAN SOCIETY of NSW Inc.

Part I: PRELIMINARY

1. PREAMBLE

This Constitution to be inspired and upgraded to be in line with the HOLY QUR'AAN and the Traditions (SUNNAH) of the Prophet MUHAMMAD (Peace Be Upon Him).

Those persons fortunate enough to uphold it, aspire to the highest conduct and thought. Their principles and guide lines shall be as in the words of the HOLY QUR'AAN: "They believe in ALLAH and the last day, they enjoin right conduct and forbid indecency, and vie one with another in good works. They are of the righteous." [Al-Imran (114)]

They pledge that there shall be no preference for or prejudice against any particular sect, nationality, colour or race and their source of strength is as given in the HOLY QUR'AAN: "And hold fast, all of you together to the cable of ALLAH and be not divided among yourselves." [Al-Imran (103)]

2. NAME

The name of the Society shall be "**THE ISLAMIC EGYPTIAN SOCIETY of NSW Inc.**" hereinafter referred to as "Society" or "association".

3. OBJECTS

The general objects of the Society are -

1. To promote a general understanding of Islam, its Principles, Culture, Heritage and Historic background.
2. To encourage and assist Muslims in Australia to actively contribute and be constructive elements of development and become integrated in the Australian society on the bases of the ethical, cultural and social Islamic values.
3. To make all efforts to assist in the relief of poverty, sickness, destitution, helplessness of distress regardless of nationality, colour, race or sect.
4. To co-operate with other Islamic Societies for the benefits of all according to the HOLY QUR'AAN and SUNNAH.
5. To co-operate and co-ordinate with Australian Authorities to solve the problems of Muslims guided by Islamic proposals and solutions that fulfill security, stability and welfare of the Society.
6. To encourage and assist Muslim women to form and operate a women auxiliary to be concerned and active in the education and welfare of women and children.
7. To join with Muslims in Australia or any part of the world for any joint project to propagate and maintain the principles and practices of the Muslim faith, and to assist in international Muslim charity or for the relief of Muslims against hardship arising from war or natural disaster.
8. To subscribe to any local or other charities and grant donations for any public purpose.
9. To establish and maintain a close link with all Islamic Institutions abroad such as Al-Azhar University in Cairo EGYPT.
10. To educate the children of the members of the Islamic faith in the doctrines of their faith and acquire and administer such schools as may from time to time be deemed fit to be conducted whether the curriculum of such schools shall be wholly religious or general.
11. To organise the teaching of the Holy Qur'aan and the basic principles of Islam. And to organise the teaching of Arabic language and culture.
12. To print and publish any newspapers, periodicals, books or leaflets that the Society may think desirable for the promotion of its objects.
13. To create and run a library of Islamic Literature and Culture.
14. To build and maintain an Islamic Centre in Sydney.
15. To facilitate and perform civic ceremonies like weddings etc. according to the Islamic Laws and Customs.
16. To conduct Muslim burial and assist in maintaining Muslim cemeteries in NSW.
17. To act as arbitrators when asked to do so in disputes between members or moral issues.
18. To acquire any real or personal property by purchase, exchange, gift, devise, lease or by any lawful means and subject to the general objects or purpose of the Society and to sell all or any of the real or personal property of the Society and to let, mortgage, exchange, or otherwise dispose of and execute conveyances, transfers, mortgages and assurances thereof.
19. To build, construct or establish, alter, re-build, renovate and maintain buildings, homes, premises, rooms and grounds and other things and places generally for the purpose of carrying out the said general objects of the Society, or any part thereof.
20. To borrow money on mortgage or on the security of the whole or any portion of the real and personal property of the Society with security or without giving any security for same.
21. To invest all or any of the funds of the Society in any security for the time being authorised by law.
22. To make by-laws, rules and regulations and other proceedings for the due maintenance of the Society and for regulating duties, control and conduct of persons in the employ or under the care or control of the Society.
23. To do all such other lawful things as may be incidental to or be deemed to be conducive to the attainment of or execution of the foregoing objects or any of them generally for the purpose of carrying out the general objects of the Society.

4. INTERPRETATION

- (1) In these rules, except in so far as the context or subject matter otherwise indicates or requires:
 - "ordinary member" means a member of the committee who is not an office-bearer of the association, as referred to in rule 16(2);
 - "secretary" means -
 - (a) the person holding office under these rules as secretary of the association; or
 - (b) where no such person holds that office - the public officer of the association;
 - "special general meeting" means a general meeting of the association other than annual general meeting;
 - "the Act" means the Associations Incorporation Regulation, 1985;
 - "the Regulation" means the Associations Incorporation Regulation, 1985.
- (2) In these rules -
 - (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, where the function is a duty, a reference to the performance of the duty.

- (3) The provisions of the Interpretation Act, 1987, apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

Part II: MEMBERSHIP

5. MEMBERSHIP QUALIFICATIONS

- (1) Membership of the Society is open to all Muslims from eighteen years of age residing in Australia permanently.
- (2) Members of the Society must not belong to a group or sect that contradicts and opposes in its principles to the principles and teachings of Islam.
- (3) A person is qualified to be a member of the association if, but only if -
- (a) a person is a person referred to in section 15(1)(a),(b) or (c) of the Act and has not ceased to be a member of the association at any time after incorporation of the association under the Act; or
 - (b) the person is a natural person who -
 - (i) has been nominated for membership of the association as provided by rule 6; and
 - (ii) has been approved for membership of the association by the committee of the association.

6. APPLICATION FOR MEMBERSHIP

- (1) Application of a person for membership of the association:
- (a) shall be made in writing; and shall be in such form and contain such requirements as the Management Committee prescribes as set out in Appendix 1 to these rules; and
 - (b) shall be lodged with the secretary of the association.
- (2) As soon as practicable after receiving an application for membership, the secretary shall refer the application to the committee which shall determine whether to approve or to reject the application. In no case shall the Committee be required to give any reason for the rejection of any applicant.
- (3) Where the committee determines to approve an application for membership, the secretary shall, as soon as practicable after that determination, notify the applicant to pay within the period of 28 days after receipt by the applicant of the notification the sum payable under these rules by a member as annual subscription.
- (4) The secretary shall, on payment by the applicant of the amounts referred to in clause (3) within the period referred to in that clause, enter the applicant's name in the register of members and, upon the name being so entered, the applicant becomes a member of the association.

7. CESSATION OF MEMBERSHIP

A person ceases to be a member of the association if the person -

- (a) dies;
- (b) resigns that membership; or
- (c) is expelled from the association.

8. 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 upon cessation of the person's membership.

9. RESIGNATION OF MEMBERSHIP

- (1) A member of the association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's membership may resign from membership of the association by first giving notice (being not less than 1 month or not less than such other period as the committee may determine) in writing to the secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (3) Where a member of the association ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the secretary shall make an appropriate entry in the register of members recording the date on which the member ceases to be a member.

10. REGISTER OF MEMBERS

- (1) The public officer of the association shall establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member.
- (2) The register of members shall be kept at the principal place of administration of the association and shall be open for inspection, free of charge, by any member of the association at any reasonable hour.

11. FEES, SUBSCRIPTIONS, ETC

- (1) A member of the association shall pay to the association an annual membership fee of \$20, or where some other amount is determined by the committee, of that other amount.
- (2) The renewal of the annual subscription shall become due and payable:
- (a) From the first day of JANUARY in each calendar year and must be paid any time before any general meeting to be eligible to vote at such meetings..
 - (b) Where the member becomes a member on or after first day of JANUARY in any calendar year - upon becoming a member and before first day of JANUARY in each succeeding calendar year.

12. 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 cost, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by rule 11.

13. DISCIPLINING OF MEMBERS

- (1) Where the committee is of the opinion that a member of the association -
 - (a) has persistently refused or neglected to comply with a provision or provisions of these rules; or
 - (b) has persistently and willfully acted in a manner prejudicial to the interests of the association, the committee may, by resolution -
 - (i) expel the member from the association; or
 - (ii) suspend the member from membership of the association for a specified period.
- (2) A resolution of the committee under clause (1) is of no effect unless the committee, at a meeting held not earlier than 28 days after service on the member of a notice under clause (3), confirms the resolution in accordance with this rule.
- (3) Where the committee passes a resolution under clause (1), the secretary shall, as soon as practicable, cause a notice in writing to be served on the member -
 - (a) setting out the resolution of the committee and the grounds on which it is based;
 - (b) stating that the member 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;
 - (c) stating the date, place and time of that meeting; and
 - (d) informing the member that the member may do either or both of the following: -
 - (i) attend and speak at that meeting;
 - (ii) submit to the committee at or prior to the date of that meeting written representations relating to the resolution.
- (4) At a meeting of the committee held as referred to in clause (3), the committee shall -
 - (a) give to the member an opportunity to make oral representations;
 - (b) give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; and
 - (c) by resolution determine whether to confirm or to revoke the resolution.
- (5) Where the committee confirms a resolution under clause (4), the secretary shall, within 7 days after that confirmation, by notice in writing inform the member of the fact and of the member's right of appeal under rule 14.
- (6) A resolution confirmed by the committee under clause (4) does not take effect -
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or
 - (b) where within that period the member exercises the right of appeal, unless and until the association confirms the resolution pursuant to rule 14(4).

14. RIGHT OF APPEAL OF DISCIPLINED MEMBER

- (1) A member may appeal to the association in general meeting against a resolution of the committee which is confirmed under rule 13(4), within 7 days after notice of the resolution is served on the member by lodging with the secretary a notice to that effect.
- (2) Upon receipt of a notice from a member under clause (1), the secretary shall notify the committee which shall convene a general meeting of the association to be held within 21 days after the date on which the secretary received the notice.
- (3) At a general meeting of the association convened under clause (2),
 - (a) no business other than the question of the appeal shall be transacted;
 - (b) the committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and
 - (c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (4) If at the general meeting the association passes a special resolution in favor of the confirmation of the resolution, the resolution is confirmed.

Part III: THE COMMITTEE**15. POWERS AND FUNCTIONS OF THE COMMITTEE**

The Committee shall be called the management committee of the association and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting -

- (a) shall 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 these rules to be exercised by a general meeting of members of the association; and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

16. CONSTITUTION AND COMMITTEE MEMBERSHIP

- (1) A member of the management committee shall not be appointed to any salaried office of the society or any office of the Society paid by fees and no remuneration or other benefit in money or money's worth shall be given by the Society to any member of the management committee except:
 - (a) repayment of out-of-pocket expenses,
 - (b) interest at or rate not exceeding interest at the rate for the time being charged by the Society's Bankers for money lent to the Society; and
 - (c) reasonable and proper rent for premises let to the Society.
- (2) The management committee shall consist of 9 members who have been members of the Society for at least one year:
 - (a) 5 office-bearers shall consist of:
 - the president,
 - the vice-president,
 - the secretary,
 - the treasurer, and
 - the social secretary;
 - (b) 4 ordinary members or such number as shall be decided by the members of the Society in the annual general meeting. Each of whom shall be elected at the annual general meeting of the Society pursuant to rule 17.

- (3) The management committee shall hold office for a period of two years and shall be eligible for re-election subject to clause (4) of this rule 16.
- (4) No office bearer shall remain in the same office for more than two consecutive terms.
- (5) Each member of the committee shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (6) In the event of a casual vacancy occurring in the office bearers of the committee, the committee may appoint one of the ordinary members of the committee to fill the vacancy unless none of the members is qualified to fill the vacancy. The member so appointed shall hold office, subject to these rules, until the next annual general meeting following the date of the appointment.
- (7) If the number of the members of the committee becomes less than five, a special general meeting shall be held to elect new committee members to fill the vacancies.
- (8) The management committee members shall have the following qualifications:
 - (a) They should be adult Muslims having sound mind and health.
 - (b) They should act upon the orders of Islam and should not be indulged in any practices against the principles of Islam.
 - (c) They should not be liable to any criminal prosecution.

17. ELECTION OF COMMITTEE MEMBERS

- (1) Nominations of candidates for the election as office bearers of the Society or as ordinary members of the committee may be made in writing (on a form similar to that in Appendix 2).
- (2) Nominations of candidates for the election as office bearers of the Society or as ordinary members of the committee may be received any time until the day of the annual general meeting and can be made verbally during the meeting.
- (3) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (4) If insufficient further nominations are received any vacant positions remaining on the committee shall be deemed to be casual vacancies.
- (5) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (6) If the number of nominations received exceeds the number of vacancies to be filled, a secret ballot shall be held.
- (7) A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for election to another office at the same election

18. THE PRESIDENT

- (1) The President shall in addition to rule 16(7), be thoroughly acquainted with the teaching of Islam and have the aptitude for applying the principles of Islam in every walk of life. He should have the administrative capabilities in order to lead and direct the members and the members of the executive committee.
- (2) The President shall be the Chief Executive Officer of the Society and shall preside over all meetings of the Society; and shall be responsible for all the affairs of the society and shall preside over all meetings of the society in which he is present. The President shall ensure that the other office bearers carry out their duties efficiently and to the best of their ability, and at all times to endeavor to further and advance the general objects of the society.

19. THE VICE-PRESIDENT

The Vice President shall assume the Chief Executive Officer's duties and functions in the absence of the President in any meeting or if the President's office becomes vacant.
He shall have all the powers and responsibilities of the President during his absence.

20. THE SECRETARY

- (1) The Secretary of the association shall, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to keep minutes of-
 - (a) all appointments of office-bearers and members of the committee;
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (4) The secretary shall be responsible for convening meetings of the Society.
- (5) The secretary shall attend to all correspondence.

21. THE TREASURER

It is the duty of the treasurer of the association to ensure that -

- (a) all money due to the association is collected and received and that all payments authorised by the association are made; and
- (b) 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.

22. SOCIAL SECRETARY

The Social Secretary shall:

- (a) be responsible for the arranging and participation of the Society in social and religious functions.
- (b) be responsible for welfare activities of the Society.
- (c) be responsible for maintaining cordial relations with other organisations and societies.

23. CASUAL VACANCIES

For the purpose of these rules, a casual vacancy in the office of a member of the committee occurs if the member-

- (a) dies;
- (b) holds an office of profit in the association;
- (c) is directly or indirectly interested in any contract or proposed contract with the association;
- (d) ceases to be a member of the association;
- (e) becomes an insolvent under administration within the meaning of the Companies (New South Wales) Code;

- (f) resigns office by notice in writing given to the secretary;
- (g) is removed from office under rule 24;
- (h) he has been convicted of a criminal offense.
- (i) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- (j) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

24. REMOVAL OF MEMBER

- (1) The association in a general meeting may by resolution remove any member of the committee from the office of member 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 so removed.
- (2) Where a member of the committee to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding in a reasonable length) and requests that the representations 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 or, if they 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.

25. MEETINGS AND QUORUM

- (1) The committee shall meet at least 3 times in each period of 12 months at such place and time as the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed upon by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (3) shall specify the general nature of the business to be transacted at the meeting and no business other than that business shall be transacted at the meeting except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business shall be transacted by the committee unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half and hour of the time appointed for the meeting, the meeting shall be dissolved.
- (8) At a meeting of the committee-
 - (a) the president or, in the president's absence, the vice-president shall preside; or
 - (b) if the president and the vice-president are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

26. DELEGATION BY COMMITTEE TO SUB-COMMITTEE

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than-
 - (a) this power of delegation; and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-committee may meet and adjourn as it thinks proper.

27. VOTING AND DECISIONS

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee shall be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee (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.
- (3) Subject to rule 25(5), the committee may act notwithstanding any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

Part IV: GENERAL MEETINGS

28. HOLDING OF ANNUAL GENERAL MEETINGS

- (1) With the exception of the first annual general meeting of the association, the association shall, at least once in each calendar year and within the period of 6 months after the expiration of each financial year of the association, convene an annual general meeting of its members.
- (2) The association shall hold its first annual general meeting-
 - (a) within the period of 18 months after its incorporation under the Act; and
 - (b) within the period of 2 months after the expiration of the first financial year of the association.
- (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commission under section 26(3) of the Act.

29. CALLING OF AND BUSINESS AT ANNUAL GENERAL MEETINGS

- (1) The annual general meeting of the association shall, subject to the Act and to rule 28, be convened on such date and at such place and time as the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be-
 - (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 committee reports upon the activities of the association during the last preceding financial year;
 - (c) to elect office-bearers of the association and ordinary members of the committee subject to rules 16 and 17; and
 - (d) to receive and consider the statement which is required to be submitted to members pursuant to section 26(6) of the Act.
- (3) An annual general meeting shall be specified as such in the notice convening it.

30. CALLING OF SPECIAL GENERAL MEETINGS

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee shall, on the requisition in writing of not less than 10 per cent of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting-
 - (a) shall state the purpose or purposes of the meeting;
 - (b) shall be signed by the members making the requisitions;
 - (c) shall 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.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after the 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 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the association for any expense so incurred.

31. NOTICE

- (1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary shall, at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to rule 29(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.

32. PROCEDURE

- (1) 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 the meeting is considering that item.
- (2) At general meetings of members, a quorum shall consist of thirty percent (30%) of financial Members. Should within an hour of the time set down for a meeting to commence, a quorum be not present, then those members attending shall be deemed to be a quorum provided the number of such Members is not less than twenty (20) financial members present in person; otherwise the meeting shall be adjourned for at least 7 days.
- (3) At adjourned general meetings of members, a quorum shall consist of those members attending provided that the number of such Members is not less than twenty five percent (25%) of financial Members or is not less than twenty (20) financial members present in person.

33. PRESIDING MEMBER

- (1) The president or, in the president's absence, the vice-president, shall preside as chairperson at each general meeting of the association.
- (2) If the president and the vice-president are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

34. ADJOURNMENT

- (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 shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a general meeting is adjourned for 14 days or more, the secretary shall 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.
- (3) Except as provided in clauses (1) and (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.

35. MAKING OF DECISIONS

- (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 chairperson that a resolution has, on a show of hands, been carried by a particular majority or loot, 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 favor of or against that resolution.
- (2) At a general meeting of the association, a poll may be demanded by the chairperson or by not less than 3 members present in person at the meeting.
- (3) Where a poll is demanded at a general meeting, the poll shall be taken-
 - (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

36. SPECIAL RESOLUTION

A special resolution of the association is a special resolution if-

- (a) it is passed by a majority which comprises not less than three quarters of such members of the association as, being entitled under these rules to do so, vote in person at a general meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or
- (b) where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified in paragraph (a) - the resolution is passed in a manner specified by the Commission.

37. VOTING

- (1) Upon any question arising at a general meeting of the association a member has one vote only.
- (2) All votes shall be given personally.
- (3) 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.
- (4) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member by the association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

Part V: MISCELLANEOUS

38. INSURANCE

- (1) The association shall effect and maintain insurance pursuant to section 44 of the Act.
- (2) In addition to the insurance required under clause (1), the association may effect and maintain other insurance.

39. FINANCIAL YEAR

The financial year shall conclude on 31 DECEMBER of each year.

40. FUNDS - SOURCE

- (1) The funds of the association shall be derived from annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the committee determines.
- (2) All money received by the association shall be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

41. FUNDS - MANAGEMENT

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association shall be used in pursuance to the objects of the association in such manner as the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any 2 members of the committee or employees of the association, being members or employees authorised to do so by the committee.
- (3) All payments in excess of \$10 made by the Society shall be paid by cheque.

42. AUTHORISATION OF ACCOUNTS

All accounts shall be presented to and passed for payment at an executive Committee meeting and full details of all such approvals shall be entered in the Minute Book.

43. AUDIT

The Auditor or Auditors shall be elected at the Annual General Meeting. They shall examine all accounts, voucher, receipts, book, etc. and furnish a report thereon to the Members at the Annual Meeting. Audits shall be conducted at regular intervals of not more than twelve months. An auditor shall not be a Member or closely related to a Member of the Executive Committee.

44. AMENDMENTS OF OBJECTS AND RULES

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the association. A proposed amendment to the objects and the rules of the Society shall be notified to the Minister for the Crown administering the Charitable Collections Act, 1934, in the manner required by the regulations under that Act.

45. COMMON SEAL

- (1) The common seal of the association shall be kept in the custody of the secretary or the public officer.
- (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 2 members of the committee or of 1 member of the committee and of the secretary or the public officer.

46. CUSTODY OF BOOKS, ETC

Except as otherwise provided by these rules, the public officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the association.

47. INSPECTION OF BOOKS, ETC

The records, books and other documents of the association shall be open to inspection, free of charge, by a member of the association at any reasonable hour.

48. SERVICE OF NOTICES

- (1) For the purpose of these rules, a notice may be served by or on behalf of the association upon any member either personally or by sending it by post to the member at the member's address shown in the register of members.
- (2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time a which the letter would have been delivered in ordinary course of post.

49. TRUSTEES

- (1) Five (5) trustees being members of the Society shall be elected at a properly constituted General Meeting.
- (2) The trustees shall be elected for an unfixd term but their office may be terminated by special resolution at a Special General Meeting or by reason of the office becoming vacant pursuant to rule 23 of this constitution.
- (3) All property or whatever kind belonging to the Society shall be vested in the trustees and they shall have the custody of all deeds and documents of title relating to the property of the Society and shall be responsible for the same and shall deal with and dispose of all the property of the Society whether real or personal for the time vested in them and the income thereof in accordance with the directions of the Society provided that these directions are not in violation of the trusts upon which the property is held.

50. DISSOLUTION

The Society shall be dissolved in the event of a special resolution being passed at a Special General Meeting convened to consider such question.

51. SURPLUS PROPERTY

- (1) At the first general meeting of the association, the association shall pass a special resolution nominating a charity registered under the Charitable Collections Act, 1934, or exempted from registration by or under that Act, in which is to vest its surplus property pursuant to section 53(2) of the Act in the event of the winding up or the cancellation of the incorporation of the association.
- (2) The charity so nominated shall be one which fulfills the requirements specified in section 53(2)(a)-(c) of the Act.

52. COMPLIANCE WITH CHARITABLE COLLECTIONS ACT, 1934.

The Society shall comply with such of the provisions of the Charitable Collections Act, 1934, and the regulations thereunder as are applicable to it.

APPENDIX 1 (Rule 6(1).)

APPLICATION FOR MEMBERSHIP OF ASSOCIATION

The Islamic Egyptian Society of NSW Incorporated

(incorporated under the Association Incorporation Act, 1984)

I,
(full name of applicant)
of
(address)
.....

hereby apply to become a member of the above named incorporated association. In the event of my admission as a member, I agree to be bound by the rules of the association for the time being in force.

Signature of applicant:

Date

Other information to be supplied by applicant:

Occupation:
Telephone No. Home: Work:
FAX number:
Country of Origin: Children:
Marital Status:

APPENDIX 2 (Rule 17(1)a.)

FORM FOR NOMINATION of Office Bearers or Ordinary Members

The Islamic Egyptian Society of NSW Incorporated

(incorporated under the Association Incorporation Act, 1984)

I,
(full name of first nominator)
of
(address)
.....

and I,
(full name of second nominator)
of
(address)
.....

are members entitled to nominate the candidates for election as office bearers of the society or as ordinary members of the committee, hereby nominate:

. (a member of the society) (print full name of candidate)
for election to the position of:

Dated day of year

Signature of first nominator
Signature of second nominator
Signature of the candidate accepting the nomination:

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