



GNSDG Inc Constitution

Under the Associations Incorporation Act 2009

NAME:

The name of the Association shall be "Greater Northern Skills Development Group Inc". (GNSDG Inc)

The Objectives of GNSDG Inc are to:

Promote skills development and training

Support industry and the community

Develop communication strategies

PART I – PRELIMINARY

Definitions in this Constitution:

Ordinary member is a member that does not hold an Executive Committee or Office Bearer position. Ordinary members can attend Executive Committee meeting but are unable to vote. An Ordinary member has voting rights at the AGM only

Committee Member means a member of the Committee who is not an office bearer of the association,

Secretary means:

- (a) the person holding office under this constitution as Secretary of the association
- (b) if there is no Secretary, the Public Officer fills the role of the Association.

Special General Meeting means a general meeting of this association other than an annual general meeting

The Act means *the Associations Incorporations Act 2009*

The Regulation means the Associations Incorporations Regulation 2016

(1) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty

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

PART 2 - MEMBERSHIP

1. Membership generally

A member can be either an individual or an organisation, and

- (i) The person/organisation has applied and been approved for membership of the association, in accordance with clause 2.

2. Application for Membership

- (1) An application by either an individual OR organisation for membership of this association:
 - (a) Must be made in writing (including by email or other electronic means, if the committee so determines) in the form determined by the Committee, and
 - (b) must be lodged (including by electronic means, if the Committee so determines) with the Secretary of the association
- (2) As soon as practicable after receiving an application for membership, the secretary must refer the application to the committee which is to determine whether to approve or to reject the application
- (3) As soon as practicable after the committee make that determination, the secretary must:
 - (a) Notify the applicant, in writing, (including by email or other electronic means, if the committee so determines) that the committee approved or rejected the application (whichever is applicable), and
 - (b) If the committee approved the application request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under this constitution by a member as an annual membership fee
- (4) The secretary must, on payment by the applicant of the amounts referred to in subclause (3b) within the period referred to in that provision, enter or cause to be entered the applicants name in the register of members and, on the name being so entered, the applicant becomes a member of the association.

3. Cessation of Membership

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

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the association or
- (d) fails to pay the annual membership fee under Clause 7 (1) within 3 months after the fee is due

4. Member entitlements

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.

5. Resignation of Membership

- (1) a member of the association may resign from membership by first giving to the secretary written notice (email) of at least 1 month of the persons intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) if a member of the association ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

6. Register of Members

- (1) the secretary and treasurer must establish and maintain a register of members of the association specifying the name and address of each person or organisation who is/are a member of the association together with the date on which the membership commenced.
- (2) the register of members shall be kept in New South Wales:
 - (a) at the main premises of the Association or
 - (b) if the association has no premises, at the associations official address
- (3) the register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (4) a member of the association may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied
- (4) if a member requests that any information contained on the register about the member (other than the members name) not be available for inspection, that information must not be made available for inspection.
- (5) a member must not use information about a person obtained from the register to contact or send material to the person, other than for:
 - (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association or
 - (b) the other purpose necessary to comply with a requirement of the ACT or the Regulation
- (6) If the Register of members is kept in electronic form it must be convertible into hard copy

7. Membership Fees

- (1) a member of the association must, on admission to membership, pay to the association an annual membership fee as determined by the Committee. That amount is deemed an annual membership fee paid by 31 March in each calendar year.
- (2) If the member becomes a member after 30 June in any calendar year – the Committee determines a pro rata amount payable on becoming a member for the remaining time in the calendar year

8. Members Liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to an amount, if any, unpaid by the member in respect of membership of the association as required by clause 7.

9. Resolution of Disputes

- 1) A dispute between a member and another member (in their capacity as members) of the association, or a dispute between a member or members and the association are to be referred to a Community Justice Centre for mediation under the Community Justice Centres Act 1983.
- 2) If a dispute is not resolved by mediation within 3 months of the referral to a Community Justice Centre, this dispute is to be referred to arbitration
- 3) The Commercial Arbitration Act 2010 applies to a dispute referred to arbitration.

10. Disciplining of Members

- 1) A complaint may be made to the committee by any individual OR organisation that is a member of the association.
 - a. has refused or neglected to comply with a provision or provisions of this constitution; or
 - b. has wilfully acted in a manner prejudicial to the interests of the association.
- 2) the Committee may refuse to deal with the complaint if it considers the complaint to be trivial or vexatious in nature
- 3) If the Committee decides to deal with the complaint, the Committee
 - (a) must cause notice of the complaint to be served on the member concerned; and
 - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
 - (c) must take into consideration and submissions made by the member in connection with the complaint
- 4) the committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in

the complaint have been proved and the expulsion or suspension is warranted in the circumstances.

- 5) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given in writing to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 11.
- 6) The expulsion or suspension does not take affect:
 - a. until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - b. If within that period the member exercises the right of appeal, unless and until the association confirms the resolution under Clause 11, whichever is the latter.

11. Right of Appeal of Disciplined Member

- 1) a member may appeal to the association in general meeting against a resolution of the committee under clause 10, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- 2) the notice may, but not need, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- 3) on receipt of a notice from a member under subclause (1) the secretary must notify the committee which is to convene a general meeting of the association to be held within 28 days after the date on which the Secretary received the notice.
- 4) at a general meeting of the association convened under clause (3):
 - a) no business other than the question of the appeal shall be transacted; and
 - b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both; and
 - c) the members present are to vote by secret ballot on the question of whether the resolution shall be confirmed or revoked.
- 5) The appeal is to be determined by a simple majority of votes cast by members of the association

PART 3 - The Committee

12. Powers of the Committee

Subject to the Act, the Regulation, this constitution and any resolution passed by the association in general meeting, the Committee:-

- a. is to control and manage the affairs of the association, and

- b. may exercise all such functions that may be exercised by the association, other than those functions that are required by this constitution to be exercised by a general meeting of members of the association , 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

13. Composition and membership of the Executive Committee

1) the Committee is to consist of:

- (a) the office bearers of the association, and
- (b) at least three ordinary members

each of whom is to be elected at the annual general meeting of the association under clause 14

2) the total number of Committee members is to be a max of 20

3) the office bearers of the association are to be:

- (a) the chair
- (b) the deputy Chair
- (c) the treasurer, and (d) the secretary.
- (e) public officer

4) a Committee member may hold up to 2 offices (other than both the offices of chair and deputy chair)

5) there is a 3 years maximum number of consecutive terms or as determined by the Committee

6) each member of the Committee is, subject to this constitution to hold office until immediately before the election of Committee members at the annual general meeting next following the date of the member's election, but is eligible for re-election.

14. Election of Committee members

1) nominations of candidates for election as office bearers of the association or as ordinary Committee members:

(a) must be made in writing, signed by two members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination, and

(b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

2) if insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting

- 3) If insufficient further nominations are received, any vacant positions remaining on the Committee are taken to be casual vacancies.
- 4) If the number of nominations received is equal to the number of vacancies to be filled, the person's nominated are taken to be elected.
- 5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- 6) The ballot for the election of office bearers and ordinary members of the Committee is to be conducted at the annual general meeting in such usual and proper manner as the Committee directs.
- 7) A person nominated as a candidate for election as an office bearer or as an Executive Committee member of the association must be a member of the association.

15. Secretary

- 1) The secretary of the association must, 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 (whether in written or electronic form) of
 - (a) all appointments of office bearers and members of the Executive Committee and
 - (b) the names of members of the Executive Committee present at an Executive Committee meeting or a general meeting, and
 - (c) all proceedings at Executive Committee meetings and general meetings
- 3) minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- 4) the signature of the chairperson may be transmitted by electronic means for the purposes of Subclause (3).

16. Treasurer

It is the duty of the treasurer of the association to ensure:

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

17. Casual vacancies

- 1) In the event of a casual vacancy occurring in the membership of the Executive Committee, the Committee may appoint a member of the association to fill, the vacancy and the

member so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.

- 2) A casual vacancy in the office of a member of the Executive Committee occurs if the member:
 - a) Dies
 - b) ceases to be a member of the association or
 - c) is or becomes an insolvent under the administration within the meaning of the Corporations Act 2001 of the Commonwealth, or
 - d) resigns office by notice in writing given to the secretary, or
 - e) is removed from office under Clause 18, or
 - f) becomes mentally incapacitated person, or
 - g) is absent without consent of the committee from 3 consecutive meetings of the committee
 - h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
 - i) is prohibited from being a director of a company under Part 2D.6 (disqualification from managing corporations) of the Corporations Act 2001 of the Commonwealth

18. Removal of Committee Member

- 1) The association in 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 shall by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- 2) If a member of the Committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or chair (not exceeding a reasonable length) and requests that the representation be notified to the members of the association, the Secretary or the Chair may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

19. Executive Committee meetings and quorum

- 1) The Committee must meet at least 3 times in each period of 12 months at the place and time as the Committee may determine.
- 2) Additional meetings of the Committee may be convened by the chair or by any member of the Committee.
- 3) Oral or written notice of a meeting of the Committee must 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 subclause (3) must 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 5 members of the Committee constitute a quorum for the transaction of the business of a meeting of the committee.
- 6) No business is to 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 is to stand 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 an hour of the time appointed for the meeting, the meeting is to be dissolved.
- 8) At the meeting of the Committee:
 - (a) The chair or, in the chair's absence, the vice chair is to preside
 - (b) if the chair and the vice-chair are absent or unwilling to act, one of the office bearers of the Committee chosen by the members present at the meeting is to preside.

20. Appointment of association members as Committee members to constitute quorum

- 1) If at any time the number of Committee members is less than the number required to constitute a quorum for a Committee meeting, the existing Committee members may appoint a sufficient number of members of the association as Committee members to enable the quorum to be constituted
- 2) A member of the Committee so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment
- 3) This clause does not apply to the filling of a casual vacancy to which clause 17 applies.

21. Use of technology at Committee meetings

- 1) A Committee meeting may be held at 2 or more venues using any technology approved by the Committee that gives each of the Committee's members a reasonable opportunity to participate
- 2) A Committee member who participates in a Committee meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person

22. Delegation by Committee to sub-Committee

- 1) The Committee may, by instrument in writing, delegate to one or more sub-Committees (consisting of member or members of the association that the Committee thinks fit) the

exercise of such of the functions of the Committee as are specified in the instrument, other than:

- (a) the power of delegation; and
- b. A function which is a duty imposed on the committee by the Act, by any other law.
- 2) A function the exercise of which has been delegated to a sub-Committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the subCommittee in accordance with the terms of the delegation.
- 3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, may be specified in the instrument of delegation.
- 4) Despite any delegation under this clause, 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 clause 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 clause.
- 7) A sub-Committee may meet and adjourn, as it thinks proper.

23. Voting and Decisions

- 1) Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee are to be determined by a majority of the votes of members by the Committee or sub-Committee at the meeting.
- 2) Each member present at the 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 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 clause 19 (5), the Committee may act despite any vacancy on the committee.
 - (1) 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 despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-Committees
- 4) Prior to voting members announce any conflict of interest

Part 4 General Meetings

24. Annual General Meetings – holding of

- 1) The association must hold its first Annual General Meeting within 18 months after its registration under the Act:
- 2) the association must hold its annual general meetings
 - (a) within 6 months after the close of the associations financial year - Jan to June each year. The association's financial year is January to December.
 - (b) within any later time that may be allowed or prescribed under section 37 (2) (b) of the Act.

25. Annual General Meeting - calling of and business at

- 1) The annual general meeting of the association, subject to the Act and to clause 24 to be convened on the date and at the 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 is to include the following:
 - (a) To confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) To receive from the Committee reports on the activities of the association during the last preceding financial year,
 - (c) To elect office bearers of the association and Executive Committee members
 - (d) To receive and consider any financial statement or report required to be submitted to members under the Act.
- 3) An annual general meeting must be specified as that type of meeting in the notice covering it.

26. Special General Meetings – calling of

- 1) The Committee may, whenever it thinks fit, convene a special general meeting of the association.
- 2) The Committee must, on the requisition in writing of at least five percent 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) must be in writing
 - (b) must state the purpose or purposes of the meeting, and
 - (c) must be signed by the members making the requisition, and
 - (d) must be lodged with the secretary, and
 - (e) may consist of several documents in 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, this should be held within 1 month after that date on which a requisition of members for the meeting is lodged with the Secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- 5) A special general meeting convened by a member or members as referred to in sub Clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee
- 6) For the purposes of subclause (3):
 - (a) A requisition may be in electronic form
 - (b) A signature may transmitted and a requisition may be lodged, by electronic means

27. Notice

- 1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- 2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (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 is to be transacted at the meeting except, in the case of an annual general meeting business which may be transacted under clause 25 (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 must include that business in the next notice calling a general meeting after receipt of the notice from the member.

28. Quorum for general meetings

- 1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- 2) Five members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- 3) If within half an hour after the appointed time for the commencement of a general meeting the quorum is not present, the meeting:
 - (a) If convened on the requisition of members - is to be dissolved, and
 - (b) In any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the

person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

- 4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) are to constitute a quorum.

29. Presiding Member

- 1) The chair or, in the chair's absence, the vice-chair, is to preside as chair at each general meeting of the association
- 2) If the chair and the vice-chair are absent or unwilling to act; the members present must elect one of their number to preside as chair at the meeting.

30. Adjournment

- 1) The chair of a general meeting at which a quorum is present may, with the majority of members present at a meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 3) Except as provided in subclauses (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.

31. Making of Decisions

- 1) A question arising at a general meeting of the association is to be determined by:
 - a) a show of hands if the meeting is one to which clause 37 applies, any appropriate corresponding method that the committee may determine
 - b) if on the motion of the chair or if 5 or more members present at the meeting decide that the question should be determined by a written ballot – a written ballot.
- 2) if the question is to be determined by a show of hands a declaration by the chair that a resolution has, on show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- 3) Subclause (2) determined by the committee under subclause (1) (a) in the same way as it applies to a show of hands
- 4) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chair.

32. Special Resolutions

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

33. Voting

- 1) On any question arising at a general meeting of the association a member has one vote only.
- 2) In the case of an equality of votes on a question at a general meeting, the chair of the meeting is entitled to exercise a second or casting vote.
- 3) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid,
- 4) a member is not entitled to vote at any general meeting of the association if the member is under 18 years of age.

34. Proxy Votes not permitted

Proxy voting must not be undertaken at or in respect of a general meeting.

35. Postal or electronic votes

- 1) The association may hold a postal or electronic ballot (as the Committee Determines) to determine any issue or proposal (other than an appeal under Clause 11)
- 2) A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.

36. Use of Technology at general meetings

- 1) A general meeting may be held at 2 or more venues using any technology approved by the Committee that gives each of the Associations members reasonable opportunity to participate.
- 2) A member of an association who participates in a general meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

PART 5 Miscellaneous

37. Insurance

The association may effect and maintain insurance.

38. Funds - Source

- 1) The funds of the association are to be derived from sponsorships, membership fees, donations and, subject to any resolution passed by the association in general meeting, such other sources that the Committee determines
- 2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- 3) the association must, as soon as practicable after receiving any money issue an appropriate receipt.

39. Funds Management

- 1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used solely in pursuance of the objects of the association in such manner as the Committee determines.
- 2) All cheques, drafts, bill of exchange, promissory notes and other negotiable instruments must be signed by two authorised signatories

40. Association is non-profit

Subject to the ACT and the Regulation, the association must apply its funds and assets solely in the pursuant of the objects of the association and must not conduct its affairs so as to provide a pecuniary gain for any of its members

41. Distribution of property on winding up of association

Subject to the Act and the Regulations, in a winding up of the Association, any surplus property of the association is to be transferred to another organisation with similar objects and which is not accrued on for the profit or gain of its individual members.

In this clause, a reference to the surplus property of an association is a reference to that property of the association remaining after satisfaction the debts and liabilities of the association and the costs, charges, and expenses of the winding up of the association

42. Change of name, objects and constitution

An application for registration of a change in the associations name, objects or constitution in accordance with section 10 of the Act is to made by the public officer or a Committee member

43. Custody of Books

Except as otherwise provided by this constitution all records, books and other documents relating to the association must be kept in NSW:

- (a) At the main premises of the association, in the custody of the public officer or a member of the association (as the committee determines)
- (b) If the association has no premises, at the associations official address, in the custody of the public

44. Inspection of Books

The following documents must be open for inspection, free of charge, by a member of the association at any reasonable hour:

- (a) the records, books and other financial documents of the association
- (b) this constitution
- (c) minutes of all Committee meetings and general meetings of the association

45. Service of Notices

- 1) For the purpose of this constitution, a notice may be served on or given to a person:
 - (a) be delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by email or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- 2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by email or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

46. Financial Year

The financial year of the association is January to December.

The period of time commencing on the date of incorporation of the association and ending 31 December.

Each period of 12 months after the expiration of the previous financial year of the association, commencing on the 1 January ending 31 December.