
**Rules
of the
Eastern Community Legal Centre
Incorporated**

Effective as of August 3, 2006

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1. Name

- 1.1 The name of the incorporated association is the Eastern Community Legal Centre Incorporated (in these Rules called "the ECLC").

2. Statement of Purposes

The Eastern Community Legal Centre is committed to reform that achieves equality and social justice within the legal system for disadvantaged members of the community.

It aims to work with our community to identify and address issues of inequality and injustice in the legal system.

The Objectives of the Eastern Community Legal Centre Incorporated are:

- 2.1 To provide free and accessible legal services that empower clients to meet their legal needs, within a community development framework.
- 2.2 To identify the legal needs of disadvantaged people in the Eastern region through conducting research.
- 2.3 To provide an organisational structure and policies and procedures to support the above objectives, that specifically includes processes for strategic planning and evaluation of the Centre's activities.
- 2.4 To engage in collaborative partnerships and networks of agencies to assist in meeting the objectives of the Centre.
- 2.5 To promote awareness of the Centre and its activities within the community.
- 2.6 To encourage the community's involvement in the Centre's activities with a particular emphasis on a proactive membership.
- 2.7 To promote and carry out any charitable purposes provided that such charitable purposes can be directed towards persons in necessitous circumstances or to organisations approved by the Commissioner of Taxation as per item 140(c) of the first schedule of the Sales Tax (Exemption and Classifications) Act or relevant rules as amended or Item 4.1.1 in table four of Rule 78 of the Income Tax Assessment Act, or relevant rules amended.

3. Definitions

- 3.1 In these Rules, unless the contrary intention appears:

"**Act**" means the Associations Incorporation Act 1981;

"**Catchment Area**" means the geographical area comprised of the Cities of Boroondara, Knox, Manningham, Maroondah, Whitehorse and the Shire of Yarra Ranges;

"**Board**" means the Board of management of the ECLC;

"**Board Member**" means a person elected or appointed to the Board;

"**Financial year**" means the year ending on 30 June;

"**General meeting**" means a general meeting of members convened in accordance with rule 15;

"**Member**" means a member of the ECLC;

"**Ordinary member of the Board**" means a member of the Board who is not an officer of the ECLC under Rule 24;

"**Regulations**" means regulations under the Act;

"**Relevant documents**" has the same meaning as in the Act.

"**Public Officer**" means the Secretary of the Association.

"**Statement of Purposes**" means the statement set out above;

"**Special Resolution**" means a resolution passed as a General Meeting by not less than three quarters of the members present and entitled to vote.

3.2 In these Rules, a reference to the Secretary of the ECLC is a reference:

- (a) if a person holds office under these Rules as Secretary of the ECLC - to that person; and
- (b) in any other case, to the public officer of the ECLC.

4. Alteration of the rules

4.1 These Rules and the statement of purposes of the Association must not be altered except in accordance with the Act.

5. Membership, entry fees and subscription

5.1 A person who applies and is approved for membership as provided in these Rules is eligible to be a member of the ECLC on payment of the entrance fee and annual subscription payable under these Rules.

5.2 The Board in its discretion and upon application by a person referred to in 5.1 may waive any requirement for the payment of the entrance fee and annual subscription.

5.3 A person will not be admitted to membership unless:

- (a) he or she applies for membership in accordance with Rule 5.4 and
- (b) the admission as a member is approved by the Board.

5.4 An application of a person for membership of the ECLC must:

- (a) be made in writing in the form set out in Appendix 1; and
 - (b) be lodged with the Secretary at the registered office of the ECLC.
- 5.5 As soon as practicable after the receipt of an application, the Secretary must refer the application to the Board.
- 5.6 The Board must determine whether to approve or reject the application.
- 5.7 If the Board approves an application for membership, the Secretary must, as soon as practicable:
- (a) notify the applicant in writing of the approval for membership; and
 - (b) request payment within 28 days after receipt of the notification of the sum payable under these Rules as the entrance fee and the first year's annual subscription; or
 - (c) notify the applicant that his or her application for the waiver of the entrance fee and annual subscriptions has been granted.
- 5.8 The Secretary must, (within 28 days after receipt of the amounts referred to in Rule 5.7 (b) enter the applicant's name in the register of members.
- 5.9 An applicant for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered in the register of members.
- 5.10 If the Board rejects an application, the Board must, as soon as practicable, notify the applicant in writing that the application has been rejected and provide reasons for the decision. The decision of the Board shall be final.
- 5.11 A right, privilege, or obligation of a person by reason of membership of the Association:
- (a) is not capable of being transferred or transmitted to another person; and
 - (b) terminates upon the cessation of membership whether by death, resignation, non-renewal, no longer meeting the membership criteria in Rule 7 or otherwise.
- 5.12 The entrance fee is the amount determined by the Board and recommended to the annual general meeting.
- 5.13 Until varied by the annual general meeting the entrance fee shall be nil.
- 5.14 The annual subscription is the relevant amount determined by the Board and recommended to the annual general meeting and is payable in advance on or before 1 July in each year.
- 5.15 Until varied by the annual general meeting the annual subscription shall be \$5.00.

6. Life Membership

- 6.1 Life membership may be conferred on a member or former member who has given outstanding service to the ECLC.
- 6.2 A Life Member shall be entitled to all the rights and privileges of membership, but shall not be required to pay any membership fees.
- 6.3 A proposal for conferral of life membership will be put forward as an item of special business at the AGM;
- 6.4 Conferral of a life membership will be passed by a special resolution of not less than three quarters of the members present at the annual general meeting.

7. Membership Criteria

- 7.1 To become or remain a member of the ECLC, a person must:
- (a) live, work or study within the ECLC catchment area;
 - (b) fill out an Application for Membership form (Appendix 1) and return the form to the Secretary at the registered office of the ECLC; and
 - (c) comply with the Rules of the ECLC.
- 7.2 An employee of the ECLC may not be a member of the ECLC.

8. Register of Members

- 8.1 The Secretary must keep and maintain a register of members containing:
- (a) the name and address of each member; and
 - (b) the date on which each member's name was entered in the register; and
 - (c) the date of ceasing membership.
- 8.2 The register is available for inspection free of charge by any member upon request by arrangement.
- 8.3 A member may make a copy of entries in the register by arrangement.

9. Ceasing Membership

- 9.1 A member of the ECLC who has paid all monies due and payable by a member to the ECLC may resign from the ECLC by giving one month's notice in writing to the Secretary of his or her intention to resign.
- 9.2 After the expiry of the period referred to in Rule 9.1:

- (a) the member ceases to be a member; and
- (b) the Secretary must record in the register of members the date on which the member ceased to be a member.

10. Discipline, suspension and expulsion of members

10.1 Subject to these Rules, if the Board 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 ECLC, the Board may by resolution:

- (a) reprimand that member; or
- (b) suspend that member from membership of the Association for a specified period; or
- (c) expel that member from the ECLC.

10.2 A resolution of the Board under Rule 10.1 does not take effect unless:

- (a) at a meeting held in accordance with Rule 10.3 the Board confirms the resolution; and
- (b) if the member exercises a right of appeal to the ECLC under this rule, the ECLC confirms the resolution in accordance with this rule.

10.3 A meeting of the Board to confirm or revoke a resolution passed under Rule 10.1 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 Rule 10.4.

10.4 For the purposes of giving notice in accordance with Rule 10.3 the Secretary must, as soon as practicable, cause to be given to the member a written notice:

- (a) setting out the resolution of the Board and the grounds on which it is based; and
- (b) stating that the member may address the Board at a meeting to be held not earlier than 14 days and not later than 28 days after 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 or she may do one or both of the following:
 - (i) attend that meeting;
 - (ii) give to the Board at least two working days prior to the date of that meeting a written statement seeking the revocation of the resolution;
- (e) informing the member that, if at that meeting, the Board confirms the resolution, he or she may, not later than 48 hours after that meeting, give the Secretary a

notice to the effect that he or she wishes to appeal to the ECLC in general meeting against the resolution.

10.5 At a meeting of the Board to confirm or revoke a resolution passed under Rule 10.1 the Board must:

- (a) give the member an opportunity to be heard;
- (b) give due consideration to any written statement submitted by the member pursuant to Rule 10.4. (d); and
- (c) determine by resolution whether to confirm or to revoke the resolution.

10.6 If at the meeting of the Board, the Board confirms the resolution, the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he or she wishes to appeal to the ECLC in general meeting against the resolution.

10.7 If the Secretary receives a notice under Rule 10.6 he or she must notify the Board and the Board must convene a general meeting of the ECLC to be held within 21 days after the date on which the Secretary received the notice.

10.8 At a general meeting of the ECLC convened under Rule 10.7:

- (a) no business other than the question of the appeal may be conducted; and
- (b) the Board 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 must be given an opportunity to be heard; and
- (d) the members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.

10.9 A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person in favour of the resolution. In any other case, the resolution is revoked.

11. Disputes and Mediation

11.1 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 ECLC.

11.2 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.

- 11.3 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.
- 11.4 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 the Board of the ECLC; or
 - (ii) in the case of a dispute between a member and the ECLC, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).
- 11.5 The mediator cannot be a member who is a party to the dispute.
- 11.6 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 11.7 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.
- 11.8 The mediator must not determine the dispute.
- 11.9 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.

12. Annual General Meetings

- 12.1 An annual general meeting of the members of the ECLC will be convened in each financial year.
- 12.2 The annual general meeting will take place within five (5) months of the end of the previous financial year. The Board will determine the date, time and place of the annual general meeting of the ECLC.
- 12.3 The notice convening the annual general meeting will specify that the meeting is an annual general meeting, the date, time and place of the meeting. The Secretary of the ECLC must cause this notice to be sent to each member of the ECLC at least 28 days prior to the meeting.

- 12.4 The ordinary business of the annual general meeting shall be:
- (a) to confirm the minutes of the previous annual general meeting;
 - (b) to receive from the Board an annual report of the ECLC;
 - (c) to elect ordinary members of the Board;
 - (d) to receive and consider the statement submitted by the ECLC in accordance with section 30(3) of the Act and
 - (e) to receive the annual audited accounts of the ECLC.
- 12.5 The annual general meeting may conduct any special business of which notice has been given in accordance with these Rules.

13. Special General Meetings

- 13.1 In addition to the annual general meeting, any other general meetings may be held in the same year.
- 13.2 All general meetings other than the annual general meeting are special general meetings.
- 13.3 The Board may, whenever it thinks fit, convene a special general meeting of the ECLC.
- 13.4 If, but for this sub-rule, more than 15 months would elapse between annual general meetings, the Board must convene a special general meeting before the expiration of that period.
- 13.5 The Board must, on the request in writing of members representing not less than 5 per cent of the total number of members, convene a special general meeting of the Association.
- 13.6 The request for a special general meeting must:
- (a) state the objects of the meeting; and
 - (b) be signed by the members requesting the meeting; and
 - (c) be sent to the address of the Secretary at the registered office of the ECLC.
- 13.7 If the Board does not cause a special general meeting to be held within one month after the date on which the request is sent to the Secretary, the members making the request, or any of them, may convene a special general meeting to be held not later than one month after that date.
- 13.8 If a special general meeting is convened by members in accordance with this rule, it must be convened in the same manner so far as possible as a meeting convened by the Board and all reasonable expenses incurred in convening the special general meeting must be refunded by the ECLC to the persons incurring the expenses.

14. Special Business

- 14.1 All business that is conducted at a special general meeting and all business that is conducted at the annual general meeting, except for business conducted under the rules as ordinary business of the annual general meeting, is deemed to be special business.

15. Notice of General Meetings

- 15.1 The Secretary of the ECLC, at least 14 days, or if a special resolution has been proposed at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the ECLC, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.
- 15.2 Notice may be sent:
- (a) by prepaid post to the address appearing in the register of members; or
 - (b) if the member requests, by facsimile transmission or electronic transmission.
- 15.3 No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- 15.4 A member intending to bring any business before a meeting may notify in writing, or by electronic transmission, the Secretary of that business at the registered office of the ECLC, who must include that business in the notice calling the next general meeting.

16. Quorum at General Meetings

- 16.1 No item of business may be conducted at a general meeting unless a quorum of members entitled under these Rules to vote is present at the time when the meeting is considering that item.
- 16.2 Seven members personally present (being members entitled under these Rules to vote at a general meeting) and 50% of the Board personally present constitute a quorum for the conduct of the business of a general meeting. Except for a special general meeting called in accordance with Rules 13.5 - 13.8 where quorum will be 15 members personally present.
- 16.3 If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present:
- (a) in the case of a meeting convened upon the request of members- the meeting must be dissolved; and
 - (b) in any other case - the meeting shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson 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.

- 16.4 If at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members personally present (being not less than 5) shall be a quorum.

17. Presiding at General Meetings

- 17.1 The Chairperson, or in the Chair's absence, the Deputy Chairperson, shall preside as Chairperson at each general meeting of the ECLC.
- 17.2 If the Chairperson and the Deputy Chairperson are absent from a general meeting, or are unable to preside, the members present must select one of their number to preside as Chairperson.

18. Adjournment of Meetings

- 18.1 The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- 18.2 No business may be conducted at an adjourned meeting other than the unfinished business from the meeting that was adjourned.
- 18.3 If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with Rule 15.
- 18.4 Except as provided in Rule 18.3, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned meeting.

19. Voting at General Meetings

- 19.1 Upon any question arising at a general meeting of the Association, a member has one vote only.
- 19.2 All votes must be given personally.
- 19.3 In the case of an equality of voting on a question, the Chairperson of the meeting is entitled to exercise a second or casting vote.
- 19.4 Unless otherwise required by these Rules or the Act a resolution before a general meeting will be carried by a simple majority.

20. Poll at General Meetings

- 20.1 If at a meeting a poll on any question is demanded by not less than 3 members, it must be taken at that meeting and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- 20.2 A poll that is demanded on the election of a Chairperson or on a question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting.

21. Manner of Determining Whether Resolution Carried

- 21.1 If a question arising at a general meeting of the Association is determined on a show of hands:
- (a) a declaration by the Chairperson that a resolution has been
 - (i) carried; or
 - (ii) carried unanimously; or
 - (iii) carried by a particular majority; or
 - (iv) lost; and
 - (b) an entry to that effect in the minute book of the ECLC is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

22. Proxies

- 22.1 No proxies are allowed under these Rules.

23. Board of Management

- 23.1 The affairs of the ECLC shall be managed by the Board of Management.
- 23.2 The Board:
- (a) shall control and manage the business and affairs of the ECLC; and
 - (b) may, subject to these Rules, the Act and the Regulations, exercise all such powers and functions as may be exercised by the ECLC other than those powers and functions that are required by these Rules to be exercised by general meetings of the members of the ECLC; and
 - (c) subject to these Rules, the Act and the Regulations, has power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and affairs of the ECLC; and
 - (d) may delegate any of their powers to the Manager or other person/s as appear to the Board to be essential for the proper management of the business and affairs of the ECLC.
- 23.3 Subject to section 23 of the Act, the Board shall consist of:
- (a) up to seven ordinary members elected at the annual general meeting ;
 - (b) a maximum of two other persons chosen by the Board and
 - (c) as ex-officio member, the Manager of the Association.

23.4 The Board will have no less than two and no more than four lawyers.

24. Office Holders

24.1 The office bearers shall be appointed by the Board from among the Board members.

24.2 The office bearers shall be:

- (a) a Chairperson;
- (b) a Deputy Chairperson;
- (c) a Treasurer; and
- (d) a Secretary.

24.3 Each officer of the ECLC shall hold office until the annual general meeting next after the date of his or her appointment.

24.4 In the event of a casual vacancy in any office referred to in Rule 24.1 the board may appoint one of its members to the vacant office.

25. Ordinary Members of the Board

25.1 Subject to these rules, an elected Board member who is elected at any annual General Meeting shall hold office for 2 years and be eligible for re-election.

25.2 For the purposes of Rule 25.1 one half of the Board members shall retire each year. Those to retire at the second annual General Meeting after the acceptance of these Rules by the office of Consumer Affairs shall be determined by lot.

25.3 In the event of a casual vacancy occurring in the office of an ordinary member of the Board, the Board may appoint a member of the ECLC to fill the vacancy and the member appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.

26. Election of Board Members

26.1 Nominations of candidates as members of the Board must be:

- (a) made in writing, signed by two members of the ECLC and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
- (b) delivered to the Secretary at the registered office of the ECLC not less than 14 days before the date fixed for the holding of the annual general meeting.

26.2 If insufficient nominations are received to fill all vacancies on the Board, the candidates nominated shall be deemed to be elected and further nominations may be received at the annual general meeting.

- 26.3 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.
- 26.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot must be held.
- 26.5 The ballot for the election of members of the Board must be conducted at the annual general meeting in such manner as the Board may direct.

27. Vacancies

- 27.1 The office of an officer of the ECLC, or of an ordinary member of the Board, becomes vacant if the officer or member:
- (a) ceases to be a member of the ECLC; or
 - (b) becomes an insolvent under administration within the meaning of the Corporations Law; or
 - (c) resigns from office by notice in writing given to the Secretary.
 - (d) fails to attend 3 consecutive meetings without having been granted a leave of absence; or
 - (e) fails to attend 3 consecutive meetings during a single term without apology.

28. Meetings of the Board

- 28.1 The Board must meet at least 3 times in each year at such place and such times as the Board may determine.
- 28.2 For the purpose of Rule 28.1, a meeting of the Board includes a meeting held in accordance with Rule 28.4.
- 28.3 Special meetings of the Board may be convened by the Chairperson or by any 4 members of the Board.
- 28.4 The contemporaneous linking together by telephone or other electronic means of members of the Board constitutes a meeting of the Board and all the provisions in these rules relating to meetings of the members of the Board apply, so far as they can and with such changes as are necessary, to meetings of the members of the Board by telephone or other electronic means. A meeting by telephone or other electronic means is to be taken to be held at the place determined by the Chairperson of the meeting of the Board provided that at least 1 of the members of the Board involved was at that place for the duration of the meeting.
- 28.5 If the members of the Board (other than any Board member who disqualifies himself or herself from considering the act, matter, thing or resolution in question) assent to a document containing a statement to the effect that an act, matter or thing has been done or resolution has been passed, that act, matter, thing or resolution is to be taken as having been done at or passed by a meeting of the Board.

28.6 For the purposes of Rule 28.4:

- (a) The meeting is to be taken to have been held on the day on which, and at the time at which, the document was last assented to by a member of the Board;
- (b) 2 or more separate documents in identical terms each of which is assented to by 1 or more members of the Board are to be taken as constituting 1 document;
- (c) A member of the Board may signify assent to a document by signing the document or by notifying the Association of the member's assent in person or by post, facsimile transmission, telephone or other method of written, audio or audio visual communication at the registered office of ECLC;
- (d) Where a Board member signifies assent to a document otherwise than by signing the document, the Board member must by way of confirmation sign the document at the next meeting of the Board attended by that Board member, but failure to do so does not invalidate the act, matter, thing or resolution to which the document relates;
- (e) Where a document is assented to in accordance with this Rule, the document is to be taken as a formal board paper, documented in the minutes of the meeting of the Board.

29. Notice of Board Meetings

29.1 Notice of each Board meeting must be given to each member of the Board at least seven days before the date of the meeting.

30. Quorum for Board Meetings

30.1 A quorum for the conduct of the business of a meeting of the Board shall be 51% of the Board members.

30.2 Other than business transacted in accordance with Rule 28.4 or 28.5 no business may be conducted unless a quorum is present.

30.3 If within half an hour of the time appointed for the meeting a quorum is not present:

- (a) in the case of a special meeting - the meeting lapses;
- (b) in any other case - the meeting shall stand adjourned to the same place and the same time and day in the following week.

30.4 The Board may act notwithstanding any vacancy on the Board.

31. Presiding at Board Meetings

31.1 At meetings of the Board:

- (a) the Chairperson or, in the Chairperson's absence, the Deputy Chairperson

presides; or

- (b) if the Chairperson and the Deputy Chairperson are absent, or are unable to preside, the members present must choose one of their number to preside.

32. Voting at Board Meetings

32.1 Questions arising at a meeting of the Board shall be determined on a show of hands or, if a member requests, by a poll taken in such manner as the person presiding at that meeting may determine.

32.2 Unless otherwise required by these Rules, the Act or the Regulations a resolution before the Board is carried by a simple majority of votes.

33. Removal of Board Member

33.1 The ECLC in general meeting may, by resolution, remove any member of the Board before the expiration of the member's term of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member.

33.2 A member who is the subject of a proposed resolution referred to in Rule 33.1 may make representations in writing to the Secretary or Chairperson of the ECLC (not exceeding a reasonable length) and may request that the representations be provided to the members of the ECLC.

33.3 The Secretary or the Chairperson may give a copy of the representations to each member of the ECLC or, if they are not so given, the member may require that they be read out at the meeting.

34. Minutes of Meetings

34.1 The Secretary of the ECLC must keep minutes of the resolutions and proceedings of each annual general meeting, special general meeting, general meeting and each Board meeting, together with a record of the names of persons present at Board meetings.

35. Funds

35.1 The Treasurer of the ECLC must ensure that:

- (a) all monies due to the ECLC are received and all payments authorised by the ECLC made; and
- (b) correct accounts and books showing the financial affairs of the ECLC are kept with full details of all receipts and expenditure connected with the activities of the ECLC.

35.2 The Board may decide how payments are made, including how cheques, documents, promissory notes, banker's drafts, bills of exchange electronic funds transfers or other

negotiable instruments must be signed, drawn, accepted, endorsed or otherwise executed, as applicable, by or on behalf of the Association.”.

- 35.3 The ECLC financial year shall be from 1st July to 30th June.
- 35.4 The Treasurer will cause an audited financial statement to be submitted to the Annual General Meeting in the following year, together with a statement as required under Section 30(3) of the Act.
- 35.5 The funds of the ECLC shall be derived from grants through Governments, Legal Aid Organisations, Local Councils, subscriptions, donations, entry fees and any such other sources as the Board determines.
- 35.6 The assets and income of the ECLC shall be applied solely in the furtherance of its objects and no portion shall be distributed directly or indirectly to its members, except as bona fide compensation for services rendered or expenses incurred on behalf of the ECLC.
- 35.7 A qualified Auditor will be appointed by the Board to audit all accounts of the ECLC and report to the Annual General Meeting following the end of each financial year. The Auditor so appointed shall be in accordance with the Act.

36. Seal

- 36.1 The common seal of the ECLC must be kept at the registered office of the centre and in the control of the Secretary.
- 36.2 The common seal must not be affixed to any instrument except by the authority of the Board and the affixing of the common seal must be attested by the signatures of two members of the Board.

37. Notice to Members

- 37.1 Except for the requirement in Rule 15, any notice that is required to be given to a member, by or on behalf of the ECLC, under these Rules may be given by:
- (a) delivering the notice to the member personally; or
 - (b) sending it by prepaid post addressed to the member at that member's address shown in the register of members; or
 - (c) facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or
 - (d) electronic transmission, if the member has requested that the notice be given to him or her in this manner.

38. Winding Up

- 38.1 The ECLC may be dissolved by a special resolution of not less than three-quarters of the members of the ECLC at a general meeting.

- 38.2 At least twenty-eight (28) days notice, specifying the proposed resolution, must be sent to the members of the ECLC.
- 38.3 Non receipt of the said notice shall not invalidate any such resolution.
- 38.4 If upon winding up or the cancellation of the ECLC there remains after satisfaction of the debts and liabilities, any property whatsoever, the same shall be transferred or given to any association or organisation having similar aims of the ECLC, and who are also tax deductible under the provisions of section 78(4) of the Income Tax Assessment Act.

39. Custody and Inspection of Books and Records

- 39.1 Except as otherwise provided in these Rules, the Secretary must ensure that all minute books, documents and securities of the ECLC are kept safely at the registered office of the ECLC.
- 39.2 All accounts, books, securities and any other relevant documents of the ECLC must be available for inspection free of charge by any member by arrangement.
- 39.3 A member may make a copy of any accounts, books, securities and any other relevant documents of the ECLC, by arrangement.

APPENDIX 1

**APPLICATION FOR MEMBERSHIP OF THE
EASTERN COMMUNITY LEGAL CENTRE**

I,of
(name) (address)

desire to become a member of **THE EASTERN COMMUNITY LEGAL CENTRE INC.**

I currently (tick as applicable):

- live
- work(details)
- study(details)

within the ECLC 'catchment area'.

In the event of my admission as a member, I agree to be bound by the rules of the Eastern Community Legal Centre for the time being in force.

.....Signature of ApplicantDate

I, a member of the Association, nominate the applicant,
(name)

who is personally known to me, for membership of the Association.

..... Signature of ProposerDate

I,, a member of the Association, second the nomination of
the
(name)

applicant, who is personally known to me, for membership of the Association.

.....Signature of SecunderDate