

Constitution of The Glebe Youth Service Incorporated

1. Name

The name of the association is The Glebe Youth Service Incorporated (referred to in these rules as "GYS").

2. Objects

2.1 In this objects clause, "young people" means young people who are 12 to 24 years of age (inclusive), but primarily those 12 - 17 years of age (inclusive), who live in and/or attend school or frequent the suburb of Glebe and who are disadvantaged (at risk of poverty, sickness, suffering, distress, misfortune, disability or helplessness).

2.2 The objects of GYS are:

- a) To provide community services to young people to reduce the effects of being disadvantaged;
- b) To assist individuals and groups of young people to access appropriate resources effectively and take action to meet their needs;
- c) To encourage young people to be involved in planning and developing all activities of GYS;
- d) To inform, educate and resource the local community about young people and their issues and concerns with a view to building community support for, and participation in, initiatives to improve the quality of life for young people;
- e) To develop formal and informal networks with Government and non - government agencies in the metropolitan area for the purpose of developing and implementing strategies in the local community to assist young people who are disadvantaged;
- f) To support and work with a range of organisation, workers and decision-makers to assist in the coordination of services to young people who experience disadvantage due to housing insecurity, low income, trauma, physical or mental wellbeing.

3. Membership

3.1 The members of GYS shall be the members immediately before the adoption of these rules, together with such other individuals as the Management Committee admits to membership.

3.2 Membership is open to all individuals, except for paid staff, who are at least 12 years of age and who support the objects, and accept the rules, of GYS.

3.3 Individuals wishing to become members of GYS must apply in writing to the Management Committee. The application must be forwarded to the next available Management Committee meeting.

3.4 The Management Committee shall determine whether or not to accept an application for membership.

- 3.5 Membership shall cease upon resignation, expulsion (clause 5), employment by GYS, or if GYS cannot contact the member after reasonable attempts have been made.
- 3.6 The Public Officer shall keep a register of the members (see clause 11.7)
- 3.7 A right, privilege or obligation which a person has by reason of being a member of GYS
 - a) is not capable of being transferred or transmitted to another person; and
 - b) terminates on cessation of the person's membership.
- 3.8 A member of GYS may resign from membership of GYS by first giving to the Public Officer written notice of at least one month (or such other period as the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- 3.9 No fees, subscriptions and other amounts are to be paid by GYS members.
- 3.10 At all times, a majority (being more than 50%) of the members of GYS must be Aboriginal and/or Torres Strait Islander persons.
- 3.11 Notwithstanding anything to the contrary in clause 3:
 - a) there must be at least five members of GYS at all times;
 - b) the Management Committee must ensure that the requirement in subclause 3.10 is met at all times; and
 - c) where a person ceases to be a member of GYS and the proportion of Aboriginal and/or Torres Strait Islander members would fall below the majority, an application for membership from an Aboriginal and/or Torres Strait Islander person should be accepted as soon as practicable, provided such person is an eligible individual under clause 3.2 and has not acted in a manner which would warrant discipline under clause 5.
- 3.12 Where the majority requirement in clause 3.10 is temporarily not met, the Management Committee must take immediate steps to restore compliance, and in any event within six months.

4. Members' liability

The members of GYS shall have no liability to contribute towards the payment of debts and liabilities of GYS or the costs, charges and expenses of the winding up of GYS.

5. Disciplining of members

- 5.1 The Management Committee may, by resolution, expel a member from membership of GYS, or may suspend the member from membership for a specified period, if in the opinion of the Management Committee, the member:
 - a) Has persistently refused or neglected to comply with provision or provisions of these rules; or
 - b) Has acted in a manner prejudicial to the interests of GYS.
- 5.2 Every effort shall be made to resolve issues of member discipline through informal discussion and negotiation before implementing formal disciplinary procedures.

- 5.3 The Management Committee shall not resolve to expel or suspend a member from membership without affording the member an opportunity of offering an explanation.
- 5.4 A resolution to expel or suspend a member from membership must be approved by at least a three-quarters (3/4) majority of the members of the Management Committee present and voting at the meeting at which the resolution is moved.
- 5.5 Where the Management Committee passes a resolution to expel or suspend a member from membership, the secretary shall notify the member in writing of the terms of the resolution and the grounds on which it is based.
- 5.6 The disciplined member may appeal at the next general meeting of GYS against a resolution of the Management Committee to expel or suspend him/her from membership. The disciplined member must notify the secretary in writing that he/she intends to appeal against the resolution.

The disciplined member may attend and speak at the general meeting at which the appeal is heard and may also submit written representations relating to the resolution. The members of GYS present and entitled to vote at the general meeting shall vote on the question of whether the resolution shall be confirmed or revoked. Written proxy votes shall be accepted as per proxy clause 8.9.

6. Disputes between members

- 6.1 In the event of a dispute arising between members (in their capacity as members), or between a member and GYS, or a member and the Management Committee, the following procedures shall apply.
- 6.2 Each side of the dispute shall nominate a representative who is not directly involved in the dispute. Those representatives shall then attempt to settle the dispute by negotiation.
- 6.3 Should the nominated representatives be unable to resolve the dispute within 14 days (or such other period as they may agree upon) the dispute shall be referred to a person mutually agreed upon for mediation.
- 6.4 If the dispute is not resolved by the above procedures it shall be referred to a community Justice Centre for mediation in accordance with the Community Justice Centre's Act 1983.

7. Management Committee

- 7.1 GYS shall have its affairs controlled and managed by the Management Committee, which shall act in accordance with any resolution passed by a general meeting of GYS and, subject to applicable law and this constitution:
 - a) may exercise all such functions as may be exercised by GYS, other than those functions that are required by this constitution to be exercised by a general meeting of members of GYS; and
 - b) 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 GYS.
- 7.2 The Management Committee shall consist of:
 - a) a minimum of four and a maximum of 11 elected members, including a chairperson, vice chairperson, secretary and treasurer (the "office bearers");

- b) a majority (being more than 50%) of the members of the Management Committee must be Aboriginal and/or Torres Strait Islander persons.
- 7.2A If membership of the Management Committee falls below:
 - a) the minimum requirement in clause 7.2a), the Management Committee shall be dissolved and a General Meeting called to elect a new Management Committee; or
 - b) the majority requirement in clause 7.2b), the remaining members of the Management Committee must take immediate steps to restore compliance, and in any event within six months.
- 7.3 GYS shall actively seek representation from young people, local residents, local business people and the youth sector. The Management Committee shall:
 - a) aim to have its membership be reflective of the area; and
 - b) endeavour to represent the views and needs of young people as described in clause 2.
- 7.4 The Management Committee shall be elected at each annual General Meeting.
- 7.5 To be eligible for election to the Management Committee, a person must be a member of GYS.
- 7.6 The Management Committee may choose to appoint a representative of any government agency or other organisation that provides funding to GYS to the Management Committee as an ex officio member. Such ex officio members are not required to be members of GYS. An ex officio member may be represented by another person from their organisation at meetings of the Management Committee. Ex officio members do not have the right to vote. Ex officio members may be appointed additional to the maximum of 11 elected members.
- 7.7 At its first meeting after the annual general meeting, the Management Committee shall elect from among its members a chairperson, vice-chairperson, secretary and treasurer, for a term of one year expiring at the next annual general meeting.
- 7.8 A casual vacancy occurs in the Management Committee if a member of the Management Committee:
 - a) dies;
 - b) ceases to be a member of GYS;
 - c) resigns office by notice in writing given to the secretary;
 - d) becomes insolvent under administration within the meaning of the Corporations Act 2001 (Cth);
 - e) is removed from office in accordance with these rules;
 - f) becomes a mentally incapacitated person;
 - g) is absent from 3 successive Management Committee meetings without the approval of the Management Committee;
 - h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than three 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 (Cth).

7.9 Casual vacancies

- a) The Management Committee may appoint a member of GYS to fill a casual vacancy on the Management Committee.
 - b) Before being appointed to a casual vacancy, if required by the Management Committee, the person must attend three meetings of the Management Committee as a non-voting observer.
 - c) Where a casual vacancy arises in the Management Committee and the proportion of Aboriginal and/or Torres Strait Islander members would fall below the majority, that vacancy must be filled by an Aboriginal and/or Torres Strait Islander person as soon as practicable.
- 7.10 Where a vacancy occurs in the position of an office bearer, the Management Committee may appoint a current member of the Management Committee to fill the vacant office bearer position.
- 7.11 Each member of the Management Committee shall hold office from the date of their election or appointment until the next annual general meeting.
- 7.12 Retiring Management Committee members are eligible for re-election.
- 7.13 The Management Committee shall meet as often as necessary to conduct the business of GYS and not less than 6 times a year.
- 7.14 The Management Committee may form subcommittees which shall elect their own chairperson and shall have the right to co-opt other people who may or may not be members of GYS.. The terms of reference of a subcommittee shall be determined by the Management Committee. The decisions of sub-committees must be brought to the Management Committee for approval, unless the Management Committee has previously delegated specific authorities to the sub-committee.
- 7.15 The quorum for meetings of the Management Committee shall be 3 members (over 18 years of age) of the Management Committee (whether office bearers or ordinary members) present in person and no business is to be transacted by the Management Committee unless a quorum is present.
- 7.16 Meetings of the Management Committee shall be open to any member or prospective member of GYS, provided that the Management Committee may resolve to exclude non-members of the Management Committee by moving in camera.
- 7.17 Except as otherwise provided in this Constitution, questions arising at any meeting of the Management Committee shall be decided by a majority of members of the Management Committee present and voting. In case of an equality of votes, the Chairperson of the meeting shall have a second or casting vote.
- 7.18 Dates for regular meetings of the Management Committee shall be set as soon as possible after the AGM. Additional meetings of the Management Committee may be convened by the Chairperson or any two members of the Management Committee.
- 7.19 Subject to cl. 7.20, written notice of all Management Committee meetings shall be provided to all members of the Management Committee no less than 4 working days prior to the meeting.

- 7.20 An emergency meeting of the Management Committee may be convened by the Chairperson or by any two members of the Management Committee by giving one day's written or verbal notice to all members of the Management Committee. The notice shall inform members of specific items of business to be dealt with at the emergency meeting. The emergency meeting shall not deal with any business except that which was previously notified to members. Quorum for emergency meetings shall be the same as for ordinary meetings of the Management Committee. Minutes of the emergency meeting shall be made available to all members of the Management Committee and shall be tabled at the next scheduled meeting.
- 7.21 If within half an hour of the time appointed for a Management Committee meeting a quorum is not present, the meeting shall be dissolved.
- 7.22 A member of the Management Committee shall not be appointed to any salaried position of GYS. No remuneration or other benefit in money or money's worth shall be given to any members of the Management Committee for Management Committee activities. Where a member of the Management Committee is offered contract work in connection with GYS operations, the Management Committee must approve the contract in advance and the contractor must advise members at each Annual General meeting of their contractual involvement with GYS.
- 7.23 As a mark of respect and gratitude the annual general meeting may, by special resolution, elect a past Management Committee member to the position of Emeritus Chair. The position shall be one without voting rights. The position will require a vote for renewal every five years.
- 7.24
- a) The Management Committee may make decisions by circular resolution, including by electronic signature, of all Management Committee members.
 - b) If the Management Committee makes a decision by circular resolution signed by all members of the Management Committee, a written resolution is taken to be a decision of the Management Committee made at a meeting of the Management Committee.
 - c) The Management Committee may make decisions at a meeting at which one or more Management Committee members participate by telephone or other electronic means, provided a member who speaks on a matter can be heard by the other members.
 - d) The Management Committee member presiding at the meeting and each other Management Committee member have the same voting rights as they would have at an ordinary meeting of the Management Committee for the purposes of:
 - i) the approval of a resolution under subclause b); or
 - ii) a meeting held in accordance with subclause c).
 - e) A resolution approved under subclause b) must be recorded in the meeting of the meetings of the Management Committee.
- 7.25 The following process may be followed to remove members of the Management Committee:
- a) GYS in general meeting may by resolution remove any member of the Management 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.

- b) If a member of the Management Committee to whom a proposed resolution referred to in clause 7.25a) relates makes representations in writing to the secretary or chairperson and requests that the representations be notified to the members of GYS, the secretary or the chairperson may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered
- c) the Management Committee must ensure the requirement in subclause 7.2b) is met at all times, including when filling casual vacancies in the Management Committee; and

8. General meetings

- 8.1 An annual general meeting of GYS shall be held each year within 6 months of the end of the financial year of GYS.
- 8.2
 - a) The Management Committee may, whenever it thinks fit, convene a general meeting of GYS.
 - b) A general meeting must be convened by the Management Committee within three months of receiving a written request to do so, and signed by at least 5 per cent of the membership of GYS.
 - c) A requisition of members for a general meeting which is not an annual general meeting (special general meeting):
 - i) must state the purpose or purposes of the meeting; and
 - ii) must be signed by the members making the requisition; and
 - iii) must be lodged with the secretary; and
 - iv) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
 - d) If the Management Committee fails to convene a special general meeting to be held within one 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 three months after that date.
 - e) A special general meeting convened by a member or members as referred to in subclause d) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee
- 8.3 Members who have items of business they wish to be considered at a general meeting shall give written notice of such business to the secretary. The secretary shall include that business in the next notice calling a general meeting.
- 8.4 At least 14 days' notice of all general meetings, elections and notices of motion shall be given to members. In the case of general meetings where a special resolution is to be proposed as per cl. 10, notice of the resolution shall be given to members at least 21 days before the meeting. Written notice of all general meetings shall be given to members either personally or by post, fax or in electronic form. 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 8.5.

- 8.5 In the case of the annual general meeting the following business shall be transacted:
- a) Confirmation of the minutes of the last annual general meeting and the most recent special general meeting (if any) since the last annual general meeting;
 - b) Receipt of the Management Committee's report upon the activities of GYS in the last financial year;
 - c) Election of members of the Management Committee as required by clause 7;
 - d) Receipt and consideration of a statement from the Management Committee which is not misleading and gives a true and fair view for the last financial year of GYS:
 - i) Income and expenditure
 - ii) Assets and liabilities
 - iii) Mortgages, charges and other securities
 - iv) Trust properties.
- 8.6 The quorum for a general meeting shall be 5 members who are entitled to vote at the general meeting and who are present in person and no business is to be transacted by the general meeting if a quorum is not present. If within half an hour of the time appointed for the commencement of a general meeting a quorum is not present, the meeting will stand adjourned and be reconvened one week later at the same time and location unless otherwise specified at the time of the adjournment.
- 8.7 Except as provided in cl.8.16, voting at general meetings shall be by a show of hands unless a secret ballot is demanded. Decisions shall be made by a simple majority of those entitled to vote, In the case of an equality of votes, the person appointed to chair the general meeting shall have a second or casting vote. Written proxy votes shall be accepted as per proxy clause 8.9.
- 8.8 Deleted
- 8.9 Each member is entitled to appoint another member as proxy by notice given to the secretary or delivered to the nominated postal address no later than 24 hours before the time of the meeting in respect of which the proxy is appointed. No member may hold more than 5 proxy votes.
- 8.10 Nominations of candidates for election as members of the Management Committee must be made in writing or on the prescribed form, signed by two members of GYS and accompanied by the written consent of the candidate.
- 8.11 At the Annual General Meeting, members shall elect a Returning Officer for the conduct of the election of the Management Committee.
- 8.12 If insufficient nominations are received to fill all vacancies on the Management Committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- 8.13 If insufficient further nominations are received, any vacant positions remaining on the Management Committee are taken to be casual vacancies.
- 8.14 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

- 8.15 If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- 8.16 Where a ballot for the election of the Management Committee is required, it shall be conducted by secret ballot. In the case of an equality of votes, those candidates with the highest number of votes shall be declared elected and a further secret ballot shall be conducted to decide the remaining positions.
- 8.17 a) GYS may make decisions at a general meeting at which one or more members participate by telephone or other electronic means, provided a member who speaks on a matter can be heard by the other members.
- b) The member presiding at the meeting and each other member have the same voting rights as they would have at an ordinary meeting of GYS for the purposes of a meeting held in accordance with subclause a).
- 8.18 a) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- b) 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.
- c) except as provided in this clause, 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.

9. Office bearers

- 9.1 The chairperson or, in the chairperson's absence, the vice chairperson shall chair each general meeting and Management Committee meeting.
- 9.2 If the chairperson and vice chairperson are absent from a meeting or unwilling to act, or if there is no chairperson or vice chairperson, the members present at the meeting shall elect one of their number to chair the meeting.
- 9.3 The secretary shall keep:
- a) A record of the names of members present at a Management Committee meeting or a general meeting; and
- b) Minutes of all Management Committee meetings and general meetings.

The minutes must be kept in written or electronic form and, for minutes of proceedings at a meeting, signed in writing or by electronic means, by (i) the member who presided at the meeting, or (ii) the member presiding at the subsequent meeting. These records and minutes (if in hard copy) shall be kept in a secure location at GYS offices, or in such other secure location as the Management Committee shall direct, and shall be available for inspection, free of charge, by a member of GYS at any reasonable hour. If kept in electronic form, the minutes must be able to be converted to hard copy.

- 9.4 Minutes of the Management Committee meetings and general meetings must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

- 9.5 The treasurer shall ensure:
- a) all money owed to GYS is collected, and
 - b) all payments authorized by GYS are made,; and
 - c) correct books and accounts are kept showing the financial affairs of GYS, including full details of receipts and expenditure relating to its activities
- 9.6 The Management Committee shall implement, review and monitor compliance with policy to ensure sound financial management.

10. Special resolutions

- 10.1 A special resolution must be passed by a general meeting of GYS to effect the following changes:
- a) A change of GYS' name;
 - b) A change of GYS' rules;
 - c) A change of GYS' objects;;
 - d) An amalgamation with another incorporated association:
 - e) To voluntarily wind up GYS and distribute its property:
 - f) To apply for registration as a company or a co-operative.
- 10.2 A special resolution shall be passed in the following manner and in any event, in accordance with section 39 of the *Associations Incorporation Act 2009* (NSW):
- a) A notice must be sent to all members advising that a general meeting is to be held to consider a special resolution;
 - b) The notice must give details of the proposed special resolution and give at least 21 days' notice of the meeting;
 - c) A quorum must be present at the meeting; and
 - d) At least three-quarters majority of those present and entitled to vote (in person or by proxy) must vote in favor of the resolution.
- 10.3 If it is not possible or practicable for a resolution to be passed as described above (e.g. if GYS wishes to put the special resolution to members by way of a postal ballot), a request may be made to the Registry of Co-operatives & Associations for permission to pass the resolution in a manner that suits the situation of GYS.

11. Public Officer

- 11.1 The Management Committee shall ensure that a person is appointed as public officer.
- 11.2 The Management Committee may at any time remove the public officer and appoint a new public officer provided the person appointed is 18 years of age or older and a resident of New South Wales.
- 11.3 The public officer may be a member of the Management Committee, or any other person regarded as suitable for the position by the Management Committee.

- 11.4 The public officer shall be deemed to have vacated the position in the following circumstances:
- a) Death;
 - b) Resignation;
 - c) Removal by the Management Committee or at a general meeting;
 - d) Bankruptcy or financial insolvency;
 - e) Mental illness or incapacity or;
 - f) Residency outside New South Wales.
- 11.5 When a vacancy occurs in the position of public officer, the Management Committee shall within 14 days notify the Office of Fair Trading by the prescribed form and appoints a new public officer.
- 11.6 The public officer is required to notify the Office of Fair Trading by the prescribed form in the following circumstances:
- a) Appointment (within 14 days)
 - b) A change of residential address (within 14 days)
 - c) A change in GYS' objects or rules (within one month)
 - d) Of GYS' financial affairs (within one month after the annual general meeting)
 - e) A change in GYS' name (within one month).
- 11.7 The public officer shall establish and maintain a register of the members of GYS. The register must:
- a) Contain the name and residential address of each member, the date on which they became a member, and, if appropriate, the date of cessation of membership;
 - b) Be updated within one month of any change taking place; and
 - c) Be kept in a secure location at GYS offices or in such other secure location as the Management Committee may direct, and be made available for inspection by any person, free of charge, at any reasonable hour.
- 11.8 The public officer shall also establish and maintain a register of the members of the Management Committee. The register must:
- a) Contain the name and residential address of each member, the date on which they became a member, and, if appropriate, the date of cessation of membership;
 - b) Be updated within one month of any change taking place; and
 - c) Be kept in a secure location at GYS offices or in such other secure location as the Management Committee may direct, and be made available for inspection by any person, free of charge, at any reasonable hour.
- 11.9 The register of the members of GYS and the register of members of the Management Committee may be in written or electronic form. If kept in electronic form, the register

must be able to be converted to hard copy. If the register is kept in electronic form, the requirements in clauses 11.7 c) and 11.8 c) (as applicable) apply as if a reference to the register is a reference to a current hard copy of that register.

12. Audit

- 12.1 The Auditor shall be elected at a Management Committee meeting. The Auditor shall examine all accounts, vouchers, receipts, books, etc., and furnish a report thereon to the members at the annual general meeting. Audits shall be conducted at the end of each financial year.
- 12.2 The Auditor shall not be a member of GYS or a relative or a business partner or associate of a member.

13. Miscellaneous

- 13.1 The financial year of GYS runs from July 1 to June 30 in the following calendar year, or such other period as the Management Committee determines.

13.2 Custody of records and books

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

- a) at the association's main premises, in the custody of either of the following persons, as determined by the committee:
 - i) the public officer,
 - ii) the Chief Executive Officer.

13.3 Inspection of records and books

- a) The following documents must be available for inspection, free of charge, by members of the association at a reasonable time:
 - i) this constitution
 - ii) minutes of committee meetings and general meetings of GYS
 - iii) records, books and other documents relating to GYS.
- b) A member may inspect a document referred to in subclause a):
 - i) in hard copy, or
 - ii) in electronic form, if available.
- c) A member may obtain a hard copy of a document referred to in subclause (1) on payment of a fee of not more than \$1, as determined by the committee, for each page copied.
- d) The committee may refuse to allow a member to inspect or obtain a copy of a document under this clause:
 - i) that relates to confidential, personal, commercial, employment or legal matters, or
 - ii) if the committee considers it would be prejudicial to the interests of the association for the member to do so.

- 13.4 Deleted.
- 13.5 The funds of GYS shall be derived from donations, grants and such other sources approved by GYS. All money received by GYS must be deposited as soon as practicable and without deduction to the credit of the GYS' bank or other authorised deposit-taking institution account. GYS must, as soon as practicable after receiving any money, issue an appropriate receipt.
- 13.6 If GYS is wound up or has its incorporation cancelled, any surplus property remaining after satisfaction of all debts and liabilities shall be handed over to an organisation which has similar objects and which is approved by the Commissioner of Taxation as a public benevolent institution for the purposes of any Commonwealth Tax Act.
- 13.7 The income and property of GYS shall be used only for promotion of the objects of GYS and shall not be distributed directly or indirectly to members except as a bona fide compensation for services rendered or expenses incurred on behalf of GYS. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two members of the committee or employees of GYS, being members or employees authorised to do so by the committee.
- 13.8 GYS shall take out and maintain insurance as appropriate for its assets and liabilities.
- 13.9 For the purpose of this constitution, a notice may be served on or given to a person:
- a) by delivering it to the person personally;
 - b) by sending it by pre-paid post to the address of the person; or
 - c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- 13.10 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 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.
- 13.11 GYS may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 5 and a postal ballot is to be conducted in accordance with Schedule 3 of the Associations Incorporations Regulations 2010 (NSW).

14. GYS as an Aboriginal Community Controlled Organisation

- 14.1 Eligibility and Identification
- a) For the purposes of this constitution, a person is Aboriginal and/or Torres Strait Islander if they:
 - i) identify as an Aboriginal and/or Torres Strait Islander person; and

- ii) are accepted as such by their community.
- b) The Management Committee may adopt and maintain a culturally appropriate process for respectfully confirming eligibility under subclause a), consistent with community protocols and applicable privacy laws.